

Agenda Item	A11
Application Number	21/00584/FUL
Proposal	Erection of single storey rear extension with roof terrace above
Application site	98 Aldcliffe Road Lancaster Lancashire LA1 5BE
Applicant	Mr Dominic Harrison
Agent	Laura Miller
Case Officer	Mr Sam Robinson
Departure	No
Summary of Recommendation	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 Lancaster City Council Councillor, the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 98 Aldcliffe Road is a mid-terraced residential property located in the Aldcliffe area of south Lancaster. The property is comprised of stone walls under a slate roof with timber windows and doors. The property faces onto Lancaster Canal whilst to the rear is a stone external staircase and a garden measuring c.115sqm with additional land to the northwest which is separated by an access track.

1.2 The site is located within a residential area, is within the Aldcliffe Road Conservation Area and is considered to be a non-designated heritage asset.

2.0 Proposal

2.1 This application seeks consent for the erection of a single storey rear extension with a roof terrace above. The extension measures approximately 5m in depth, 3.9m in width with a 2.8m flat roof height and is finished in painted roughcast render, timber/aluminium windows doors. The roof terrace incorporates the external staircase and measures 6.7m wide and has two different depths, 1.25m and 2.05m and is approximately 2.8m above ground level. The terrace features a balustrade on the northwestern elevation, 1.75m higher timber fencing on the side elevations.

2.2 The proposal does not involve any new landscaping but does involve the removal of a section of the hedge shared with no.100 on the southwestern boundary.

3.0 Site History

3.1 A single planning application relating to this site has previously been received by the Local Planning Authority.

Application Number	Proposal	Decision
06/00617/FUL	Construction of extended dormer on rear elevation	Permitted

4.0 Consultation Responses

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

Consultee	Response
Conservation	Objection – Raised an objection, but stated it could be overcome with the use of stone in place of render along with details of the new doors and balustrade
Canal and River Trust	No objection

4.2 No responses have been received from members of the public:

5.0 Analysis

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

- Design and impacts on Conservation Area and NDHA
- Impacts on residential amenity

5.2 **Design and impacts on Conservation Area and NDHA (NPPF paragraphs 126, 130, 134, 202 & 203 and policies DM29, DM38 & DM41 of the Development Management DPD (2020))**

5.2.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building, Conservation Area or their setting the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. Policy DM38 states that any development proposals and / or alterations to buildings, features and open spaces in Conservation Areas should preserve or enhance the character and appearance of the Conservation Areas. Specifically, they will be required to demonstrate that:

- Proposals respect the character of the surrounding built form and its wider setting, in terms of design, siting, scale, massing, height and the materials used;
- Proposals will not have an unacceptable impact on the historic street patterns / boundaries, open spaces, roofscape, skyline and setting including important views into and out of the area;
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area

5.2.2 Good design is further reinforced by Policy DM29 which states that new development should 'contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palette of materials, separation distances, orientation and scale.' DM41 also states that 'any extensions or alterations should be designed sympathetically, without detracting from or competing with the heritage asset. Proposals should relate appropriately in terms of siting, style, scale, massing, height and materials'

5.2.3 The rear of this terrace row appears relatively uniform and unaltered from its original appearance, and it is through this uniformity and use of stone that contributes to the character of the area. The

extension has adopted a contemporary approach and is relatively well contained within the rear garden, but it is considered that the cumulative impacts of the extension, choice of materials, canopy, balustrade and timber screening appears cluttered and would detract and interrupt the uniform appearance of the terrace. Consequently, the resulting extension through its materials, screening and balustrade features would appear incongruent in this setting.

5.2.4 In terms of the NPPF, the level of harm is considered to be less than substantial and in accordance with paragraph 202 of the NPPF, '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.'

5.2.5 While it is acknowledged that the applicant wishes to increase the size of their property in order to improve the standard of accommodation, these are largely for private benefits and as such, the scheme is not considered to have any significant public benefits that would outweigh the visual harm that has been identified.

5.3 **Impacts upon residential amenity (NPPF paragraphs 126, 130 & 134 and Policy DM29 of the Development Management DPD (2020))**

5.3.1 Policy DM29 requires all new development to 'ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution.'

5.3.2 The proposed roof terrace has been scaled back from its original iteration and is now set in from both boundaries and reduced in depth. While this has reduced the overall useable area, the terrace still remains in close proximity to the shared side boundaries and would still allow for an external, elevated seating area to be used by the occupiers. While direct views to the sides would be obscured by the screening, views would still be afforded to the rear gardens of both no.96 and no.100. As a result, the amount of overlooking from the terrace would severely compromise the standard of amenity for the occupiers on either side.

5.3.3 It is recognised that there is generally a degree of overlooking of garden areas between properties in residential areas but the inclusion and impact of a roof terrace in close proximity to the boundaries is considerably greater and could be used for extended periods of time unlike windows which generally offer a passing outlook. It is also noted that the buildings and vegetation within the neighbouring properties provide a degree of screening but again this is beyond the applicants control and cannot be conditioned to be retained. It would also require the neighbouring properties to retain these at all times to limit the impact of the overlooking.

5.3.4 The proposed extension would also have a considerable impact on the occupiers of no.100. The extension would require the removal of the hedgerow and would extend 5m in depth at 2.8m in height along the shared boundary. This would also include the screening to the terrace above which projects 2m in depth with a maximum height of 1.75m. Such a structure in such close proximity would appear overbearing on the occupiers of no.100 and the addition of high level windows, even though these will be at least 1.8m above floor level, is an intrusive feature along a shared boundary.

5.3.5 These concerns were relayed to the agent who stated that the roof terrace element is a key element of the brief for the applicant and while the scale has been reduced, unfortunately given the constraints of the site, it is unlikely that any form of roof terrace could be supported due to the impacts listed above.

6.0 Conclusion and Planning Balance

6.1 While the principle of a small extension could potentially be supported however, due to the proposed scale, choice of materials, inclusion of a roof terrace and associated balustrade/screening, the proposal would appear as an incongruent addition to the area and one which would also have a detrimental impact on the residential amenity on the occupiers on either side.

Recommendation

That Planning Permission BE REFUSED for the following reasons:

1. Due to the cumulative effects of the extension, roof terrace, choice of materials, balustrade and screening apparatus the proposal would appear as an incongruent addition to this uniformed terrace causing visual harm to both the non-designated heritage asset and the Conservation Area. The proposal would therefore be contrary to Policy DM29, DM38 & DM41 of the Development Management Development Plan Document and Section 12 and Section 16 of the National Planning Policy Framework.
2. Due to the proximity of the balcony to the shared boundaries, the proposal would result in a high degree of overlooking of the neighbouring garden spaces on either side. In addition, the proposed extension by reason of its depth, height and proximity to the boundary would appear as an overbearing structure when viewed from the garden of 100 Aldcliffe Road. Consequently, the proposal would have a detrimental impact on the residential amenity of the occupiers of both 96 and 100 Aldcliffe Road and would therefore be contrary to Policy DM29 of the Development Management Development Plan Document and Section 12 of the National Planning Policy Framework.

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

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