

<b>Application Number:</b>	2021/0246	<b>Application Type:</b>	Householder
<b>Proposal:</b>	Householder: Extension of the existing porch, erection of proposed single storey rear extension and erection detached single storey garage	<b>Location:</b>	Cemetery Lodge Edward Street Facit Rochdale Lancashire OL12 8LE
<b>Report of:</b>	Planning Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	22 June 2021
<b>Applicant:</b>	Mr Stephen Reay	<b>Determination Expiry Date:</b>	2 <sup>nd</sup> July 2021 (time extension)
<b>Agent:</b>	Mr James Holden		

<b>Contact Officer:</b>	<b>Nick Brookman</b>	<b>Telephone:</b>	<b>01706 252414</b>
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<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	<b>3 Objections</b>
<b>Other (please state):</b>	

## HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

### Article 8

The right to respect for private and family life, home and correspondence.

### Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

## 1. RECOMMENDATION

That Members resolve to grant planning permission subject to the conditions listed in section 10 of this report.

## 2. SITE

The application property is a detached property constructed from stone and slate with UPVC windows and doors located to the entrance of Whitworth Cemetery.

The property benefits from a generous curtilage with a large grassed garden to the rear sloping down towards the properties on Grange Road.

The garden to the rear is bounded by a stone wall and iron wrought fencing as well as timber fencing.

The site is located within the countryside and green belt.

### 3. RELEVANT PLANNING HISTORY

None

### 4. PROPOSAL

Planning permission is sought for a front porch and single storey rear extension as well as the construction of a detached garage.

The front porch would be constructed of matching materials and would sit flush with the existing porch to the original front and side elevation as well as its roof.

The rear extension would measure 3.488m x 3.498m and would have an overall pitched roof height of 5m. The west facing elevation of the rear extension and a partial section of the north facing elevation will be constructed of matching brick to the original dwelling. The remaining elevations will comprise of UPVC glazing. The north facing roof pitch will be constructed of slate with both side roof faces comprising timber cladding to match the existing property. The roof will include 2 velux roof windows.

The single detached garage would have a footprint of 7.8m by 4.06m with an overall dual pitched roof height of 3.69m. All materials would match the existing through the use of coursed stone and a slate roof.

The proposal also includes the provision of a new driveway leading to the property which is to be laid in a permeable bound surface.

### 5. POLICY CONTEXT

#### National

#### National Planning Policy Framework (2018)

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 12 Achieving well-designed places

Section 13 Protecting Green Belt Land

#### Development Plan

#### RBC Core Strategy DPD (2011)

AVP 1 Whitworth Facit and Shawforth

Policy 1 General Development Locations and Principles

Policy 23 Promoting High Quality Designed Spaces

Policy 24 Planning Application Requirements

## **Other Material Planning Considerations**

National Design Guide  
RBC Alterations and Extensions to Residential Properties SPD (2008).

### **6. CONSULTATION RESPONSES**

#### LCC Highways

No objection

#### Whitworth TC

No objection

### **7. REPRESENTATIONS**

To accord with the General Development Procedure Order, 10 neighbours were notified by letter on the 20<sup>th</sup> April 2021.

6 objections were received with one comment in support.

The objectors raised the following concerns:

- Loss of privacy
- Overlooking
- Harm to trees/shrubs

### **8. ASSESSMENT**

The main considerations of the application are:

- 1) Principle
- 2) Visual Amenity
- 3) Neighbour Amenity
- 4) Access/Parking

#### 1) Principle

Chapter 13 of the National Planning Policy Framework 2019 (NPPF) recognises that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

When defining Green Belt boundaries, the NPPF advises that plans should:

- ensure consistency with the development plan’s strategy for meeting identified requirements for sustainable development;
- not include land which it is unnecessary to keep permanently open;
- where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
- Make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development;
- be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and
- Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

In respect of proposals affecting the Green Belt, paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application the NPPF advises Local Planning Authorities (LPAs) of their responsibility to ensure that substantial weight is given to any harm to the Green Belt. LPAs are further advised that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. As such (para145), a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.

Exceptions to this are:

- a. buildings for agriculture and forestry;
- b. the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e. limited infilling in villages;
- f. limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and;
- g. limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Policy 1 of the Core Strategy advises that proposals for development outside of the urban boundary will be determined in accordance with relevant national and local planning guidance. In respect of a review of Rossendale’s Green Belt borough wide this is currently being undertaken in respect of the emerging borough Local Plan but, to date, the application site has not been proposed for removal from the Green Belt.

In this instance, it is considered that the proposed development would be considered an exception by way of the development consisting of an extension and alteration provided that it does not result in disproportionate additions over and above the size of the original dwelling.

In addition, in accordance with section 4.7 of the Councils Alterations and Extensions to residential properties SPD, large areas of the Borough are designated as Green Belt and Countryside. Proposals for domestic extensions and extensions / alterations to outbuildings in such areas will be strictly controlled to ensure that proposals do not impact upon the intrinsic character and appearance of the Green Belt and/or Countryside. Proposals for domestic extensions in the Green Belt and / or Countryside should not normally exceed a third (33%) of the volume of the original dwelling. Large parts of the Green Belt and Countryside are also considered to be areas of special landscape and environmental quality and the Council will expect particularly high quality designs and materials in such locations.

The architect has provided the volume calculations:

The existing property is 588 m<sup>3</sup> in total so 33% is 194 m<sup>3</sup>

The Porch Extensions totals	- 19.2 m <sup>3</sup>
The Sunroom Extension totals	- 50 m <sup>3</sup>
<u>The Garage totals</u>	<u>- 104 m<sup>3</sup></u>
Total	- 173.2m <sup>3</sup>

The percentage therefore totals 29%.

Therefore, according to the above, the development is acceptable in principle.

## 2) Visual Amenity

Policy 24 of the Core Strategy DPD requires new development to be compatible with its surroundings to ensure that the visual amenity of existing development is not impaired: new development should most importantly be of an appropriate scale, density and style.

The Alterations and Extensions to Residential Properties SPD states that

*“...any application for a domestic extension will not normally be permitted unless the proposal:*

- Achieves a high standard of design and gives the appearance of being part of the original building. Specific features, such as doors, windows and roof style and eaves, should particularly reflect the dwelling’s original shape, size, alignment and architectural integrity;*
- Complements the original building through the use of matching materials and by reflecting the design, massing, bulk, detail, proportion, scale and style of the original building, so as not to dominate it;*
- Does not detract from the character of neighbouring properties through siting, excessive bulk, ill-matched materials or inconsistent design;*
- Does not detract from the appearance of the street-scene or general character of the surrounding area”*

Paragraph 127, Section 12 Achieving well-designed places of the NPPF states that

*“Planning policies and decisions should ensure that developments:*

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.”*

Section 3.3 of the Council’s Alterations and Extensions to Residential Properties SPD states that generally there will be a presumption against extensions at the front of a property due to the need to protect the character of the existing street scenes. However, in this instance the development is a small-scale extension attaching to the existing porch which respects the size and shape of the original dwelling and nor would it project excessively from the original front wall.

The Alterations and Extensions to Residential Properties SPD states that a domestic extension should complement the original building through the use of matching materials and by reflecting the design, massing, bulk, detail, proportion, scale and style of the original building so as to no dominate it. In this instance, the proposed development including the rear extension is considered to complement the original dwellinghouse and it is recognised that matching materials are proposed to be used in the extensions’ construction.

Overall the development is considered acceptable in terms of visual amenity due the development being compatible with its surroundings in terms of siting layout and orientation. The scheme is considered compliant with Policies 23 and 24 of the Core Strategy, the SPD and The Framework.

### 3) Neighbour Amenity

Both national and local policies aim to protect the amenity of all existing and future occupants of land and buildings. Policy 24 of the Core Strategy and the SPD states that new development should protect the amenity of residents ensuring that each resident has an acceptable level of privacy and satisfactory level of daylight. Important factors such as overlooking and overshadowing will be taken into consideration, as well as pollution and air quality.

It is acknowledged that numerous objections have been received citing concerns with regards to the proposed rear extension introducing an unacceptable level of overlooking into the rear of the properties on Grange Road. However, Officers recognise that the rear extension has been designed in such a way that the elevations facing west and north west have been purposely blocked up with matching stone as to overcome such overlooking.

Section 2.1 of the SPD seeks to maintain adequate separation distances between dwellings to maintain adequate privacy, avoid overbearing relationships and undue loss of light and outlook. Consequently, the Council will seek to ensure that extensions maintain a minimum distance of 20m between habitable room windows in properties that are directly facing each other. However, this standard will also need to take into account any significant change in levels to be provided at a higher storey.

In this instance the differing land levels between Cemetery Lodge and those properties on Grange Road is evident. In this regard there should be an extra 3 metres of separation. In assessing the separation distance once the rear extension is built, the closest property to the proposed rear extension (No.4 Grange Road) is sited approximately 22m away.



Nevertheless, whilst the separation distance is 1m less than as stated within guidance, the photograph below demonstrates that the rear extension would not give rise to unacceptable levels of overlooking for the properties on Grange Street owing to the orientation and design of the proposed extension coupled with the clear level of separation between the development and neighbouring properties.



On balance, the proposal is considered acceptable with regards to neighbour amenity and complies with Policies 23 and 24 of the Core Strategy.

4) Access and parking

LCC Highways were consulted but raised no objection in relation to the proposed development.

5) Trees and landscaping

The site contains mature trees and vegetation and it is recognised that they provide a degree of screening at the rear, towards the neighbours at the lower level. The application has not been accompanied by drawings to show how these will be retained. As such it is necessary to impose a planning condition requiring a plan to show all existing trees and vegetation and details of how they will be protected during the course of the development.

## 9. RECOMMENDATION

That Members resolve to grant planning permission, subject to the conditions listed in Section 10 of this report.

## 10. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act 1990.*

2. The development hereby permitted shall be carried out in accordance with the following drawings, unless otherwise required by the conditions below:

1. Existing Plan/Location Plan dated 02/04/2021 drawing no 002
2. Proposed Plan dated 02/04/2021 drawing no 003 rev B

*Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.*

3. No development shall commence (including no removal of trees or vegetation) until a plan to show existing trees and shrubs on site at the time of this decision has been submitted to and approved in writing by the Local Planning Authority. The details shall include how the trees are to be retained with protected fencing during construction in accordance with the British Standard BS 5837:2012 or any subsequent amendment to the British Standard.

*Reason: To safeguard the existing trees. No information has been included with the application to show the existing trees or how they will be retained.*

4. Pursuant to condition 3, if it is demonstrated that loss of trees or vegetation is unavoidable, a replacement planting scheme shall be submitted for approval in writing, prior to the commencement of the development. These details shall include the types and numbers of trees and shrubs to be planted, and their distribution on site. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

All landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

*Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.*

5. No additional windows or doors shall be inserted on the rear extension hereby approved, other than those shown on the approved plans.



Reason: To protect the privacy of neighbours.

## **INFORMATIVE**

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at:  
[http://www.rossendale.gov.uk/downloads/download/331/core\\_strategy\\_local\\_plan\\_part\\_1\\_adopted](http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_adopted)

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.