

Application Number:	2022/0330	Application Type:	Full
Proposal:	First floor extension above garage	Location:	3 Rushey Close, Reeds Holme BB4 8AL
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	November 2022
Applicant:	Mr Anthony Harris	Determination Expiry Date:	23 August 2022 Eof T 9 th September 2022
Agent:	Edmondson Design Services		

Contact Officer:	Caroline Callow
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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	Yes
Other (please state):	

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 planning permission be granted subject to the conditions set out in the report.

APPLICATION DETAILS

2. SITE AND SURROUNDING AREA

The application concerns a two storey detached dwelling located at the end of a small cul-de-sac. Due to the location at the end of the cul-de-sac the dwelling appears at right angles to the road and the garage faces down Rushey Close. Either side of the dwelling are other detached dwellings with further detached dwellings to the east in Acrefield. The properties in Rushey Close are constructed of natural stone with concrete tiles and UPVC windows.

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The property is located within the Urban Boundary.

3. RELEVANT PLANNING HISTORY

2015/0366 Single storey side extension - Approved
2015 /0280 Construction of two storey side extension - Withdrawn
1990/0815 Erection of 175 New dwellings – Approved

4. PROPOSAL

The proposal is to erect a first floor extension over the existing garage.

POLICY CONTEXT

National Planning Policy Framework

Section 2 Achieving Sustainable Development
Section 6 Building a Strong, Competitive Economy
Section 11 Making Effective Use of Land
Section 12 Achieving Well-Designed Places

Development Plan

Rossendale Local Plan 2019-2036

SS Spatial Strategy
SD2 Urban Boundary and Green Belt
ENV1 High quality Development in the Borough
ENV3 Landscape Character and Quality

5. REPRESENTATIONS

To accord with the General Development Procedure Order neighbour letters were sent out to surrounding properties on 16/08/22.

Three representations have been received raising the following issues:

- Loss of privacy
- Even if window obscure glazed would be able to see silhouettes of residents.
- Overdevelopment
- Out of character
- Ugly extension
- Loss of view

6. CONSULTATION RESPONSES

Lancashire County Council Highways - No objections

7. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle
- 2) Visual Amenity
- 3) Residential Amenity
- 4) Access, Parking and Highway safety

Principle

The application site is located entirely within the defined urban boundary, where Policy SD2 of the Rossendale Local Plan seeks to locate the majority of new development. The application concerns an existing residential property and an extension for residential purposes is therefore considered acceptable in principle.

Visual Amenity

The Alterations and Extensions to Residential Properties SPD states “There will be presumption against extensions at the front of a property due to the need to protect the character of existing street scenes”.

The proposed extension to the front of the property will be sited above the existing garage and therefore would project forward of the front elevation. The properties on Rushey Close are characterised as having projecting features to the front elevation in particular the garage at no. 2. The houses on the estate are of a variety of designs and it is therefore considered that the extension over the garage would not appear out of character or unduly large in the street scene.

Due to the orientation of the property, the garage and first floor window will result in a satisfactory appearance when viewed in the street scene. Existing architectural features have also been replicated in the first floor extension including a dual pitched roof and a matching window to give the appearance of being part of the original house.

The extension will be constructed of natural stone, concrete tiles and white UPVC windows to match the existing. Overall the proposal will have a satisfactory visual appearance and will be in accordance with Policy ENV 1 of the Local Plan.

Neighbour Amenity

Policy ENV1 requires new developments to avoid unacceptable adverse impacts on neighbouring development. The site is surrounded by residential properties. The proposal will result in an increase in the ridge height of the garage from 3.82m to 5.7m and the eaves from 2.3m to 4.2m. The properties located at the rear in Acrefield are at a higher level and separated from the application site by a public footpath. The extension at its closest point will be approximately 7m from the rear garden of 17 Acrefield and 16m to windows in the main rear elevation, although there is a rear single storey extension which has a facing window that is located closer.

The SPD Alterations and Extensions to Residential properties SPD requires that extensions maintain a minimum distance of 13m between a principal window in one property and a two storey blank wall in a neighbouring property. No. 17 Acrefield is however located at a higher level and the proposed increase in ridge height is only approximately 1.88m and the extension will be at an angle to that property. These factors will limit the impact. Taking into account the height of the

existing building, the distance from the rear of No, 17 Acrefield and the angle of the properties it is considered that the proposal will not cause an undue impact in respect of overshadowing or loss of light on the residential amenity of neighbouring properties.

Concern has been expressed from neighbours regarding a loss of privacy resulting from the window in the dressing room which faces towards Acrefield. The agent has confirmed that this will be obscure glazed. A condition can be placed on a planning permission regarding the retention of obscure glazing in this window. It is therefore considered that the proposal will not be detrimental to the privacy of the properties located to the east in Acrefield.

Access, Parking and Highway Safety

The Highway Development Control Section of Lancashire County Council has no objections to the planning application and considers the proposal should have a negligible impact on highway safety and capacity. The proposal will increase the number of bedrooms from 3 to 4. In order to meet the Council's parking standards 3 spaces would be required. Three off-street parking spaces are available to the front of the garage. The proposal is therefore, considered acceptable in respect of highway safety and parking.

8. CONCLUSION

The proposed development is appropriate in principle being located in an existing residential area within the Urban Boundary. Although located at the front of the property where generally there is a presumption against front extensions the proposed extension will be set back from the street, scene, has a pitched roof and architectural features and materials to match the existing and is of a size and shape to respect the original dwelling. It is therefore considered on balance that the visual appearance of the extension is acceptable. The use of obscure glazing in the window in the north east elevation will ensure that the proposal does not result in overlooking of the properties located to the east in Acrefield. The limited increase in height will also have minimal impact on the light and outlook enjoyed by these properties. It is considered that the proposed development accords with Policies SD2 and ENV1 of the Council's adopted Local Plan.

10. RECOMMENDATION

That planning permission be granted subject to:

- a) The Conditions set out below.

11. 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 shall be carried out in accordance with the following:

Planning application forms signed and dated 27.06.2022.

The submitted plans:

- Location Plan drawing received 27.06.2022;
- Existing and Proposed Plans and Elevations Reference 2022/53-01Rev C received 13/09/2022;

Reason: To define the permission and in the interests of the proper development of the site.

3. No materials shall be used on the external elevations or roof of the proposed development other than those referred to on the approved plans and that match the existing dwelling.

Reason: In the interests of visual amenity of the area and ensuring that the appearance of the development is acceptable

4. All windows in the east elevation of the extension hereby permitted shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

Reason: In the interests of the privacy of occupiers of neighbouring property].

12. INFORMATIVES

1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.