

Application Number:	2022/0573	Application Type:	Full
Proposal:	Full: Construction of a garage and extension of existing access way	Location:	Land at Barnes Avenue Rawtenstall
Report of:	Case Officer	Status:	Delegated Report
Report to:	Principal Planning Officer	Date:	21/03/2023
Applicant:	Mr Mr Sam Hesketh	Determination Expiry Date:	09/01/2023 EOT agreed to 24/03/2023
Agent:	Peel Design Partnership Ltd		

Contact Officer:	Claire Bradley	Telephone:	01706238636
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	No
Member Call-In Name of Member: Reason for Call-In:	No
3 or more objections received	No
Other (please state):	Yes – Council Owned Land

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**

Approval subject to the conditions set out in this report.

2. **SITE**

The application relates to a site that was previously a garage site located between Nos 46 and 52 Barnes Avenue. The site currently has an electric substation and a single garage. However the site has previously been a garage site.

The current access is hard surfaced and the front of the site has mature landscaping, with the remainder of the site being grass and overgrown shrubbery. There are a number of trees on the elevation adjacent to No 46 Barnes Avenue and to the rear of the site.

The site is located within the urban boundary, and within a predominantly residential area. The garage is 15 metres from the closest dwelling.

3. **RELEVANT PLANNING HISTORY**

X/1990/603 – Erection of Garage: Approved

4. **PROPOSAL**

Planning permission is sought to erect a garage on the site and to extend the hard surfacing within the site to provide access to the proposed garage.

The proposed garage is for personal use by the applicant to undertake vehicle maintenance and repairs.

The proposed garage has dimensions of 6.9 metres (L) x 5.8 metres (w) with a rear height of 2.9 metres sloping up to a front height of 3.5 metres, and is located on two plots within the garage site.

The front elevation contains a personnel door and a roller shutter door.

5. **POLICY CONTEXT**

National

National Planning Policy Framework

Section 2 Achieving Sustainable Development

Section 4 Decision Making

Section 11 Making Effective Use of Land

Section 12 Achieving Well Designed Places

Development Plan Policies

Local Plan

SS: Spatial Strategy

SD1: Presumption in Favour of Sustainable Development

SD2: Urban Boundary and Green Belt

ENV1: High Quality Development in the Borough

TR4: Parking

Other Material Planning Considerations

National Design Guide
National Planning Practice Guidance

6. CONSULTATION RESPONSES

Consultee	Summary of Comments received
Environmental Health	No objection. Request conditions adding relating to construction hours, delivery vehicles, construction disturbance. Further comments - If the garage was not being used for purely domestic use we would expect appropriate measures commensurate with the activities taking place in the garage to reduce the potential for noise nuisance.
Property Services	No objection

7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order a site notice was posted on 09/01/2023 and letters were sent to neighbours on 05/01/2023.

An objection has been received for the following reasons:

Impact on daylight to garden
Development is too high

8. ASSESSMENT

The main considerations of the application are:

- 1) Principle;
- 2) Visual Amenity
- 3) Residential Amenity;
- 4) Access, Parking and Highway Safety.

Principle

The proposed development is located within the urban boundary, where the Local Plan seeks to locate the majority of new development.

As domestic garages are normally considered appropriate in predominantly residential locations such as this, the proposals are considered to be acceptable in principle.

Visual Amenity

The garage will be partially visible from Barnes Avenue due to the presence of mature landscaping, fully visible from the side elevation/garden of No. 52 Barnes Avenue and partially visible above the existing landscaping and fencing from the side elevation/garden of No. 46 Barnes Avenue.

The proposed development is to be constructed in profiled steel cladding with plastisol coating colour Goosewing Grey with a roof of the same materials. Whilst not ideal in design terms it is considered that a refusal of this application on either design or scale grounds would be difficult to reasonably sustain in this instance. This is because the application site is a garage site and the proposed development will be seen in the context of the existing garage and the neighbouring substation and is partially screened by mature landscaping. With this in mind it is considered that the development will not significantly impact upon the character, or appearance of the surrounding area and to this end will reasonably satisfy the relevant requirements of the Rossendale Local Plan and the NPPF.

Neighbour Amenity

The application site is located at a distance of 11.3 metres from 46 Barnes Avenue, and 7.6 metres from the fence line. This property is at a slightly lower level than the application site and located to the east of the proposed garage. The garage will project around 1.5 metres above the existing fence line. The garage will provide some overshadowing of the garden in the evenings.

The site is located 25 metres from the dwelling at No 52 Barnes Avenue.

The garage is to be used for a personal use for vehicle repair and maintenance for a vehicle such as a campervan. The agent has confirmed that there will be no power to the site therefore it is likely that there will be only very limited noise disturbance from power tools. Environmental Health have raised no objection.

Plots 1 to 4 within the garage site are located between this application and No. 46 Barnes Avenue, and whilst not developed yet they have the potential to shield the neighbouring dwelling from the proposed development in the future.

The development is acceptable in terms of residential amenity with the proposed conditions and is in accordance with the Rossendale Local Plan and the NPPF.

Highway Safety

It is not envisaged that the proposals will give rise to any undue highway safety concerns. There is provision within the site for the turning of vehicles and consequently vehicles will be able to enter and leave the site in forward gear.

The proposals have been assessed by the Highway Authority who consider them to be acceptable.

9. SUMMARY REASON FOR APPROVAL

The proposed development is acceptable in principle, and subject to conditions would not unacceptably detract from visual amenity, neighbour amenity or highway safety. As such, the scheme accords with the National Planning Policy Framework and the Council's adopted Local Plan.

10. CONDITIONS

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

Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.

2. The development shall be carried out in accordance with the following plans and documents unless otherwise required by the conditions below:

- Application form signed and dated 10/11/2022
- Location Plan (22-55-01) received 11/11/2022
- Existing Site Plan (22-55-5) received 11/11/2022
- Proposed Site Plan (22-55-10-A) received 11/11/2022
- Proposed Garage Plan and Elevations (22-55-11) received 11/11/2022

Reason: To ensure the development complies with the approved plans and submitted details.

3.

Construction works shall not take place outside the following hours-

Monday to Friday 08:00 to 18:00

Saturday 08:00 to 13:00

Construction shall not take place on Sundays or Bank or Public Holidays.

Access and egress for delivery vehicles shall be restricted to the working hours indicated above.

Reason- to ensure that site working only takes place during normal working hours in order to restrict the times during which any disturbance and nuisance may arise.

4. The garage hereby permitted shall only be used for domestic purposes and the garage shall not be used for any trade or business purposes.

Reason: In order to safeguard the residential amenity and character of the area

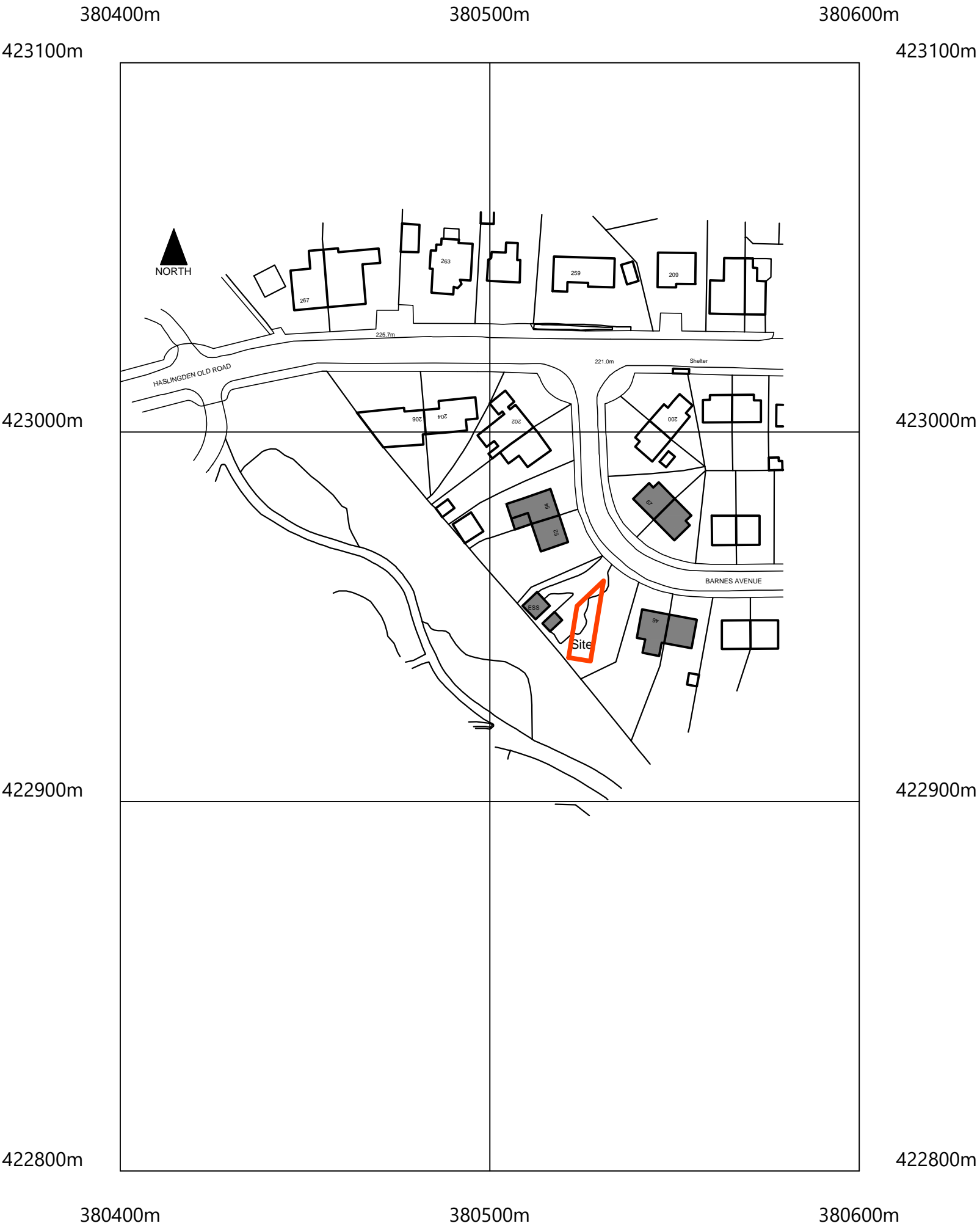
11. **INFORMATIVES**

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.

NOTES

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- This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.

REV. AMENDMENTS DATE



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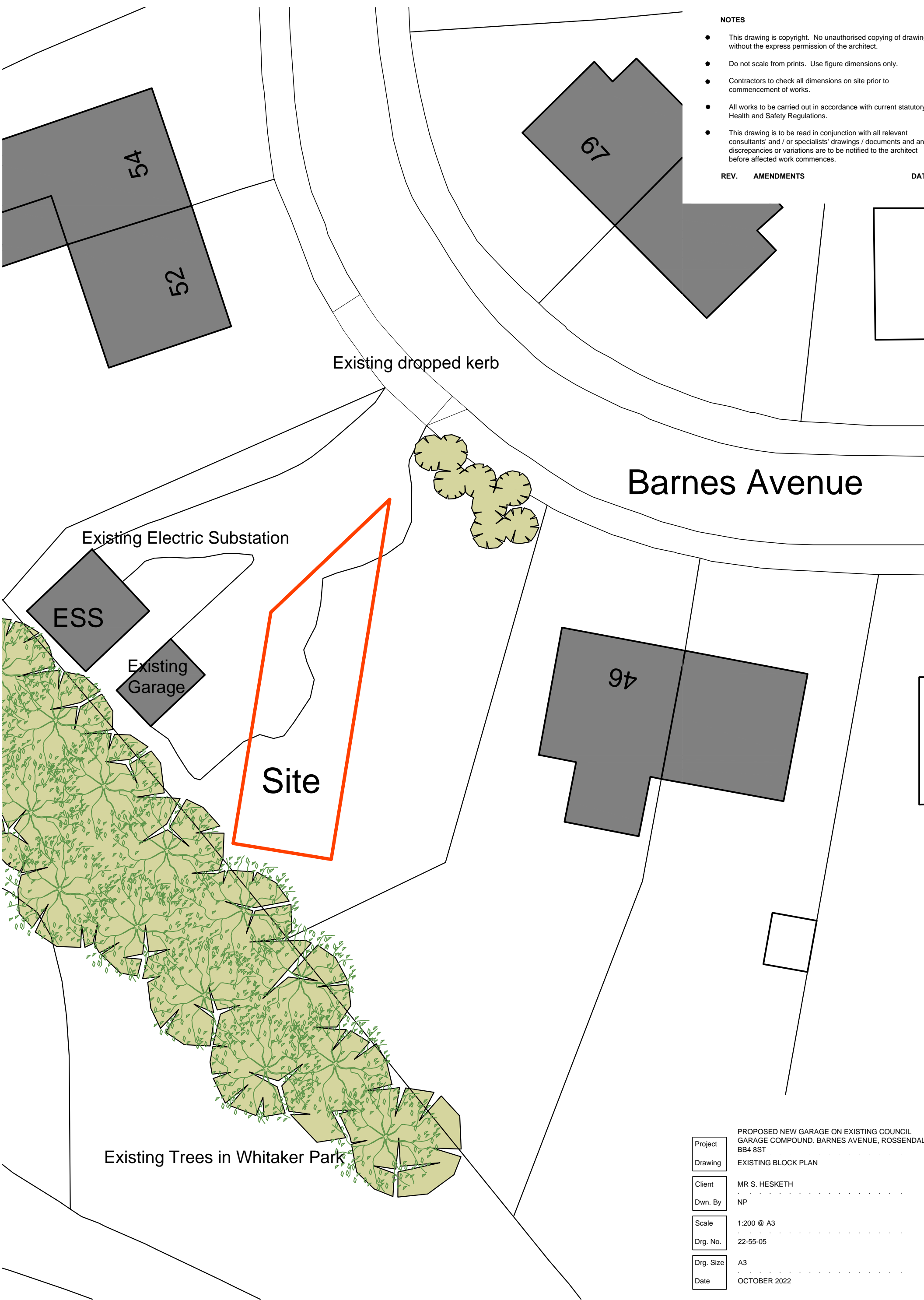
Project	PROPOSED NEW GARAGE ON EXISTING COUNCIL GARAGE COMPOUND, BARNES AVENUE, ROSSENDALE BB4 8ST
Drawing	LOCATION PLAN
Client	MR S. HESKETH
Dwn. By	NP
Scale	1:1250 @ A3
Drg. No.	22-55-01
Drg. Size	A3
Date	OCTOBER 2022

Location Plan @ 1:1250 at A3



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REV. AMENDMENTS DATE

REV.	AMENDMENTS	DATE

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Project PROPOSED NEW GARAGE ON EXISTING COUNCIL GARAGE COMPOUND, BARNES AVENUE, ROSSENDALE BB4 8ST

Drawing EXISTING BLOCK PLAN

Client MR S. HESKETH

Dwn. By NP

Scale 1:200 @ A3

Drg. No. 22-55-05

Drg. Size A3

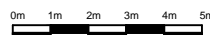
Date OCTOBER 2022

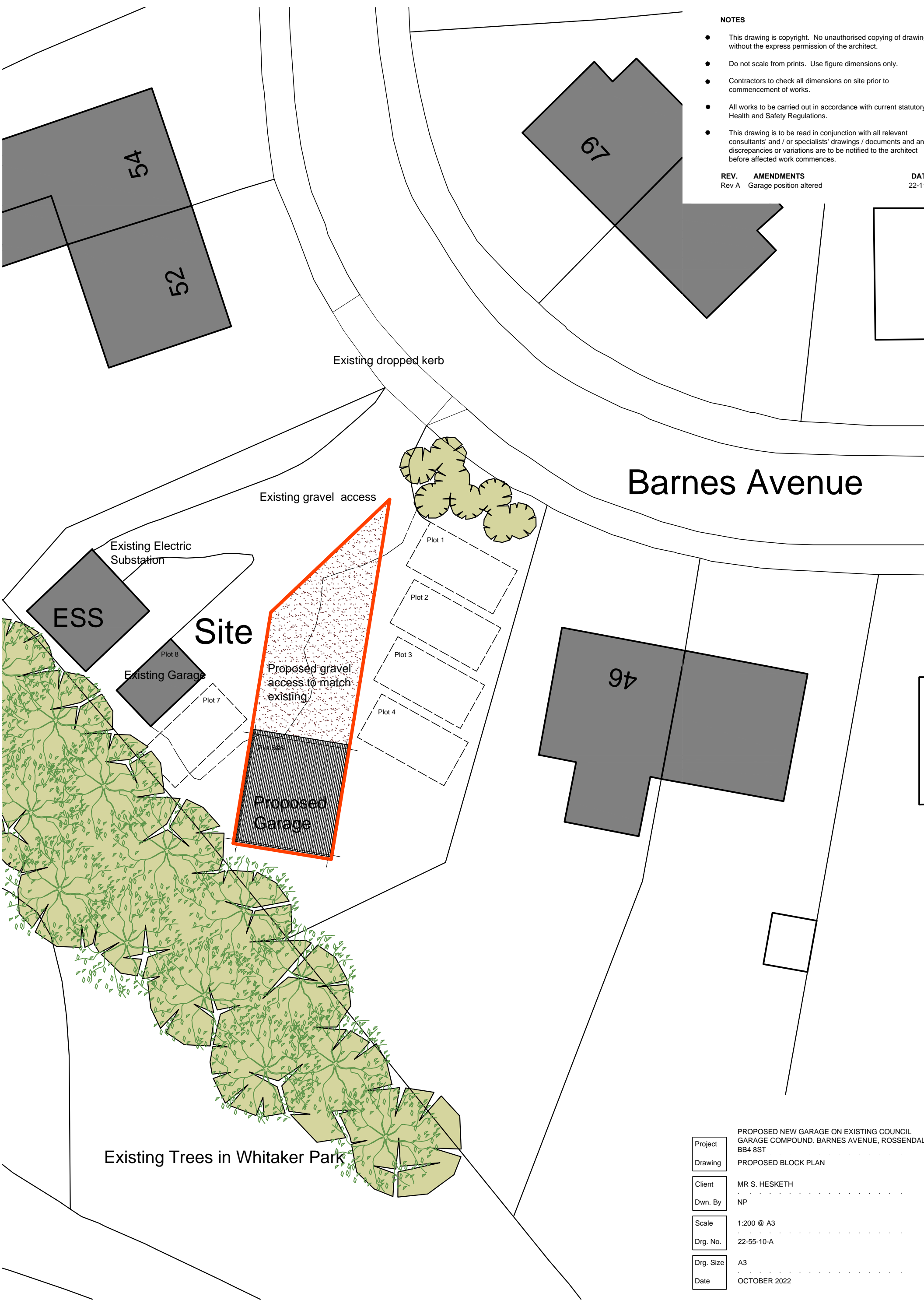


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Existing Block Plan @ 1:200





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REV.	AMENDMENTS	DATE
Rev A	Garage position altered	22-11-02

DATE
22-11-02

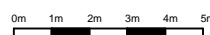
Barnes Avenue

Site

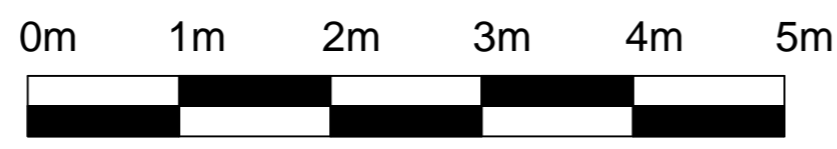
Existing Trees in Whitaker Park

Project	PROPOSED NEW GARAGE ON EXISTING COUNCIL GARAGE COMPOUND. BARNES AVENUE, ROSSENDALE BB4 8ST
Drawing	PROPOSED BLOCK PLAN
Client	MR S. HESKETH
Dwn. By	NP
Scale	1:200 @ A3
Drg. No.	22-55-10-A
Drg. Size	A3
Date	OCTOBER 2022

Proposed Block Plan @1:200



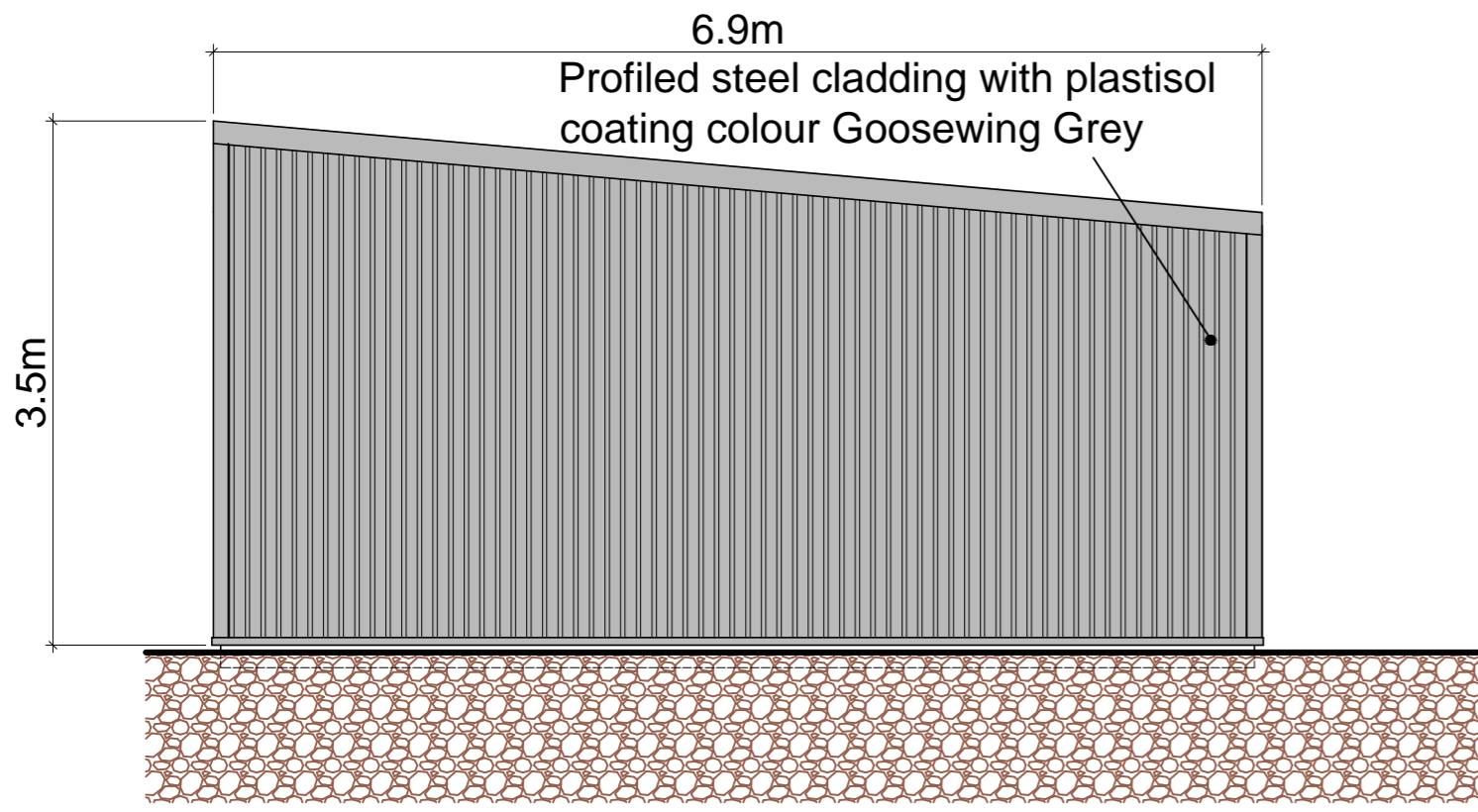
Proposed Elevations @ 1:50



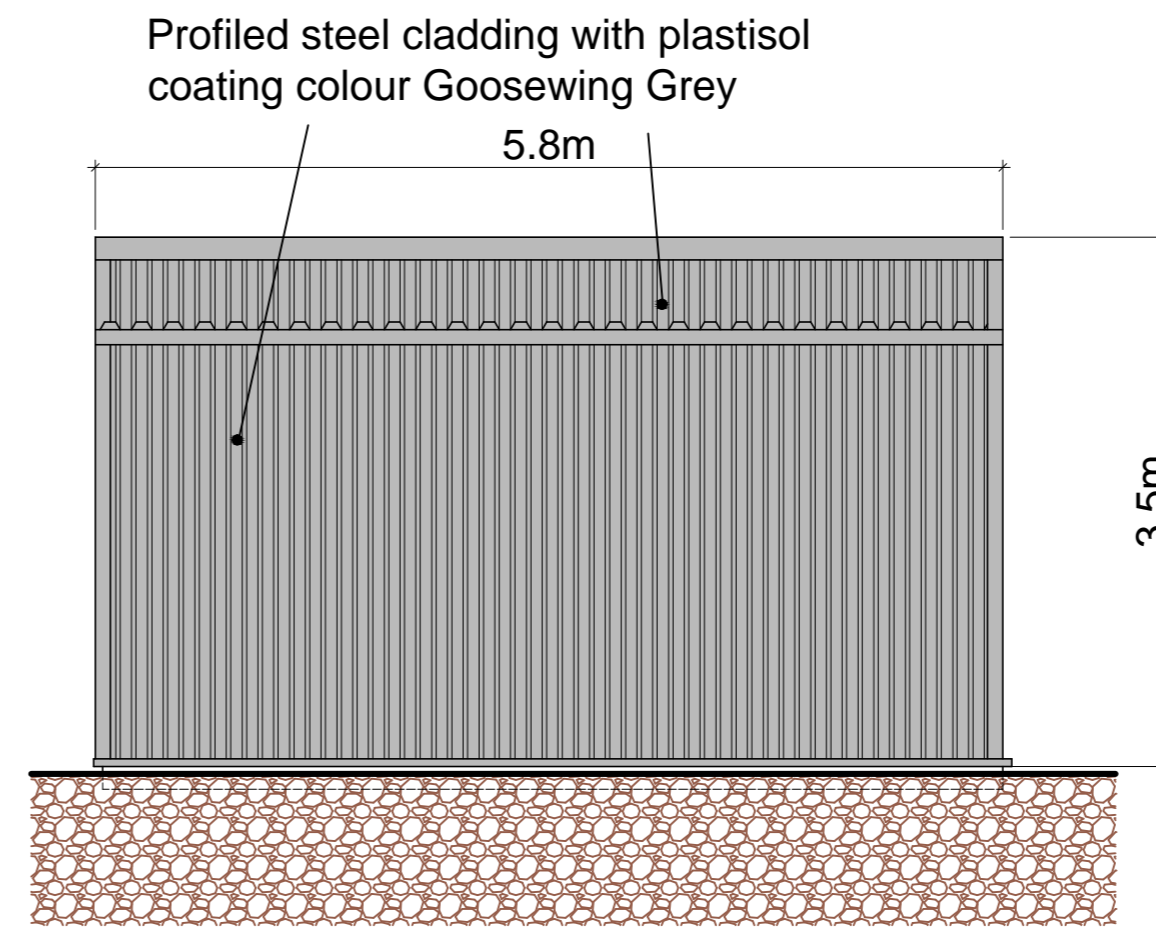
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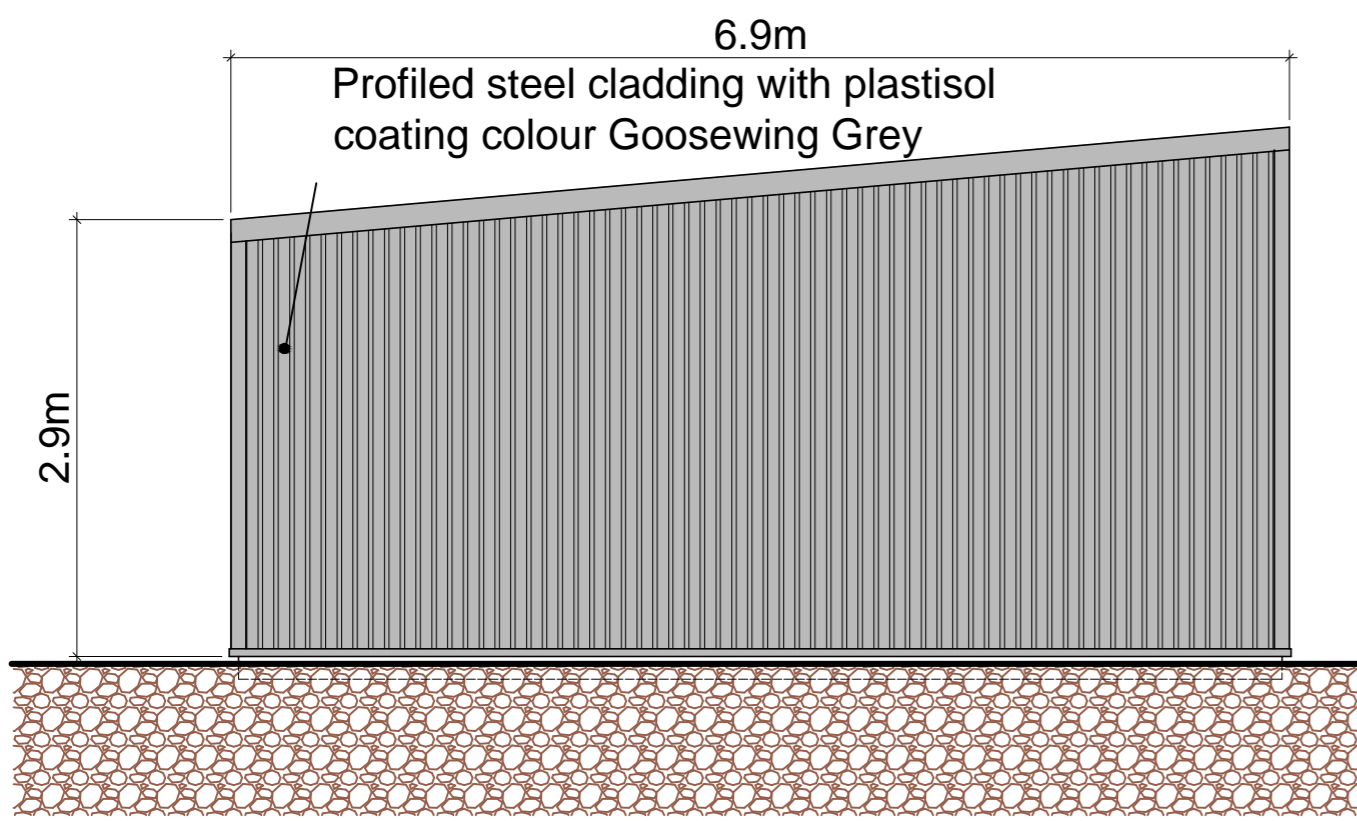
REV. AMENDMENTS DATE



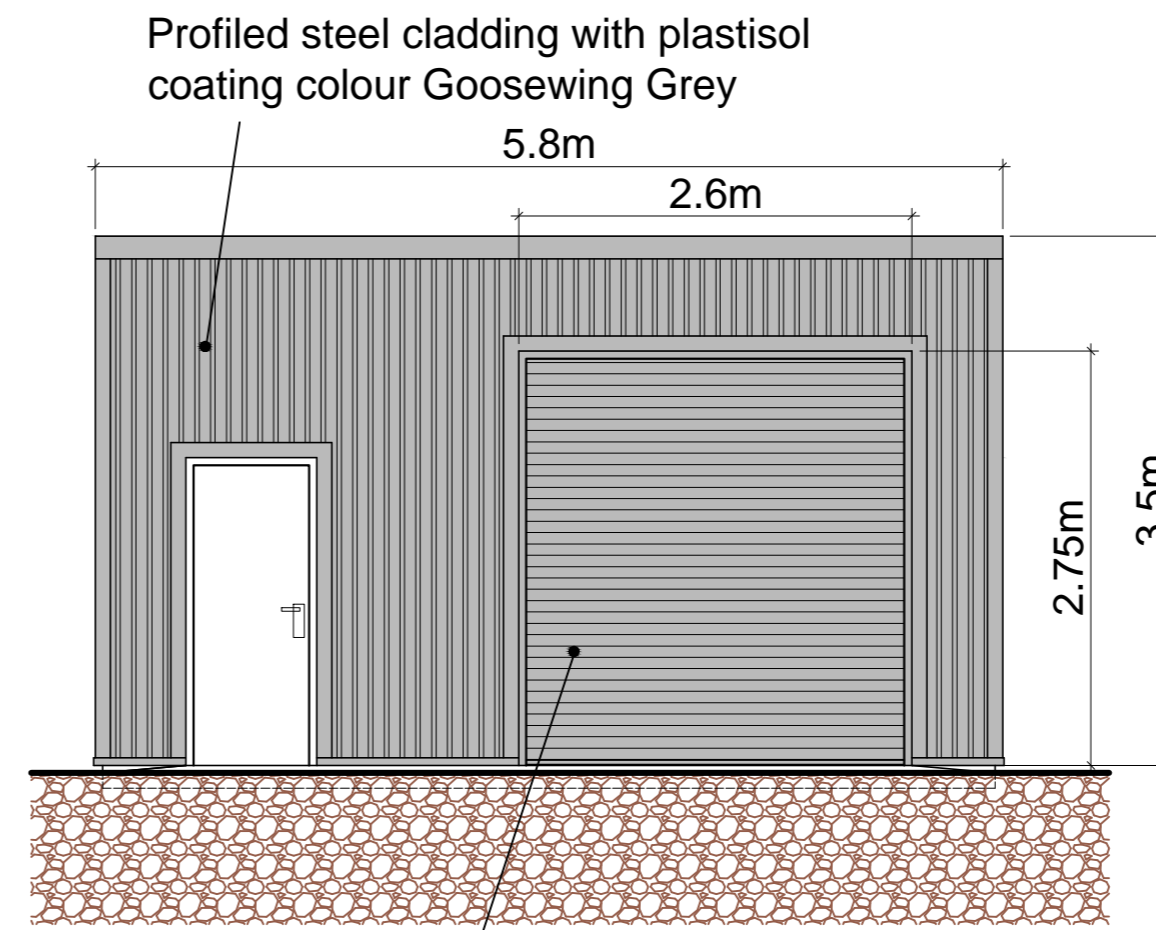
Northwest Elevation



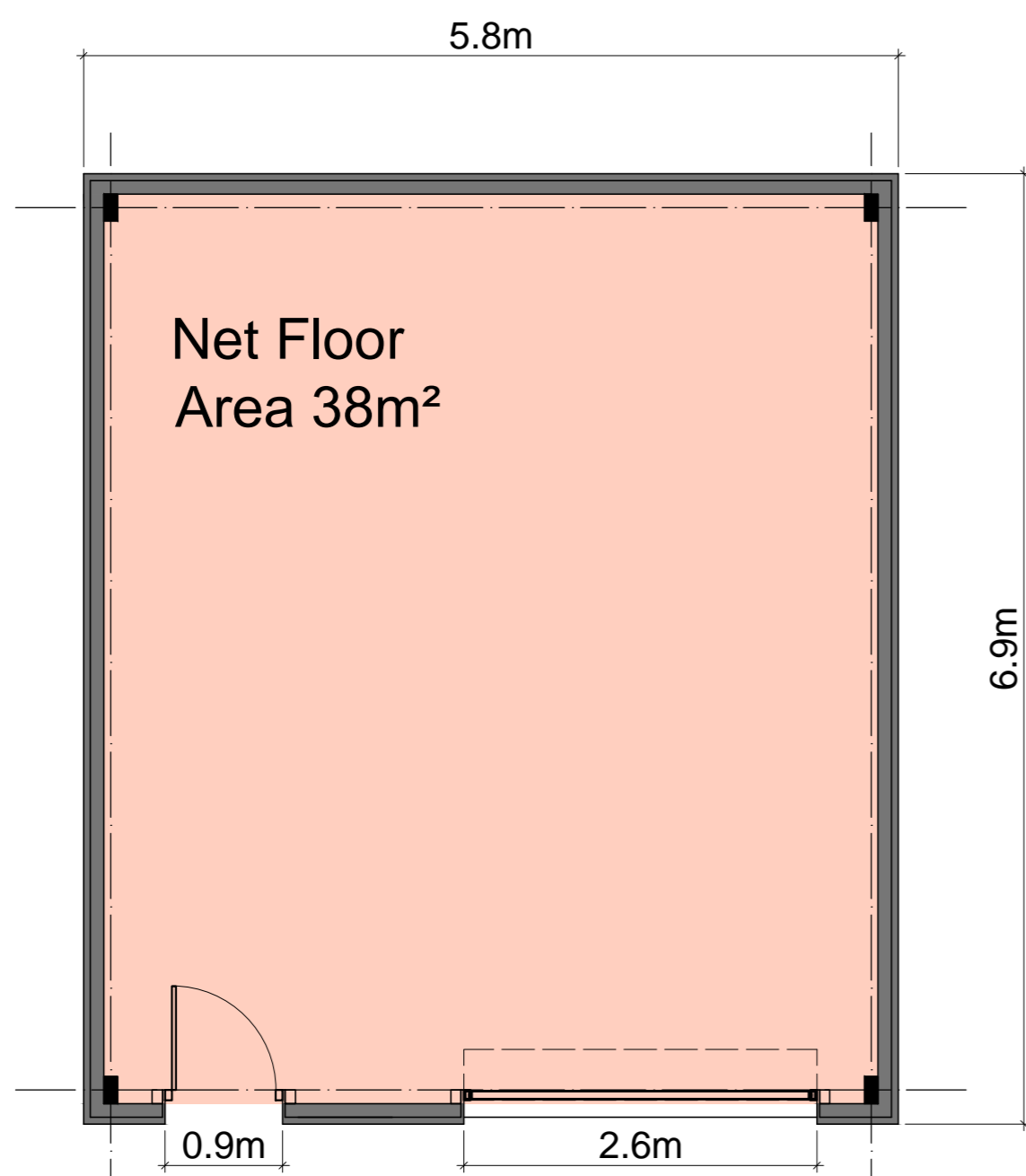
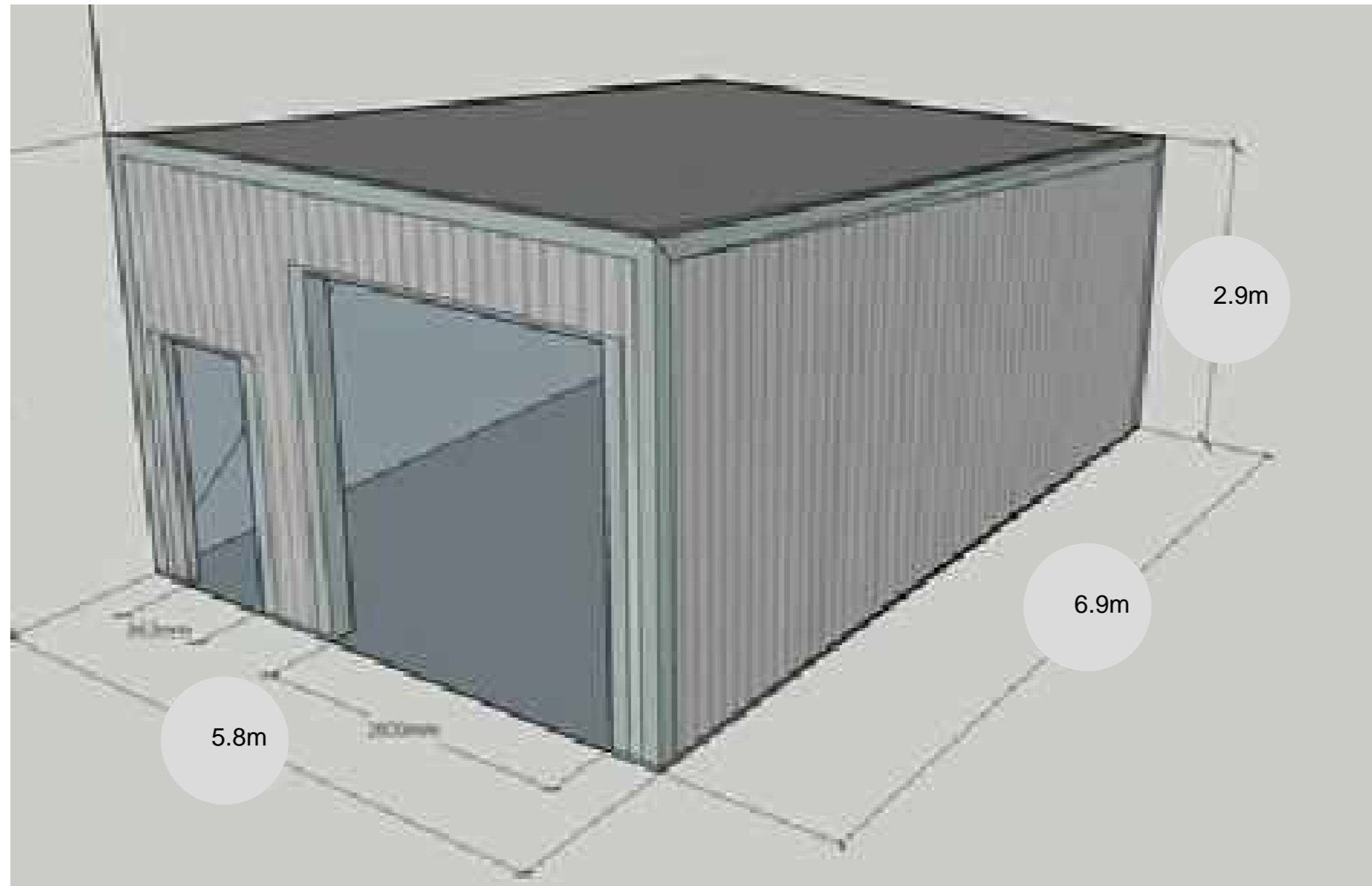
Southwest Elevation



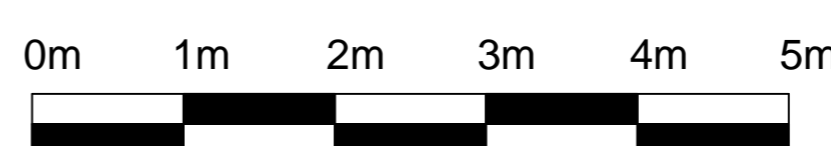
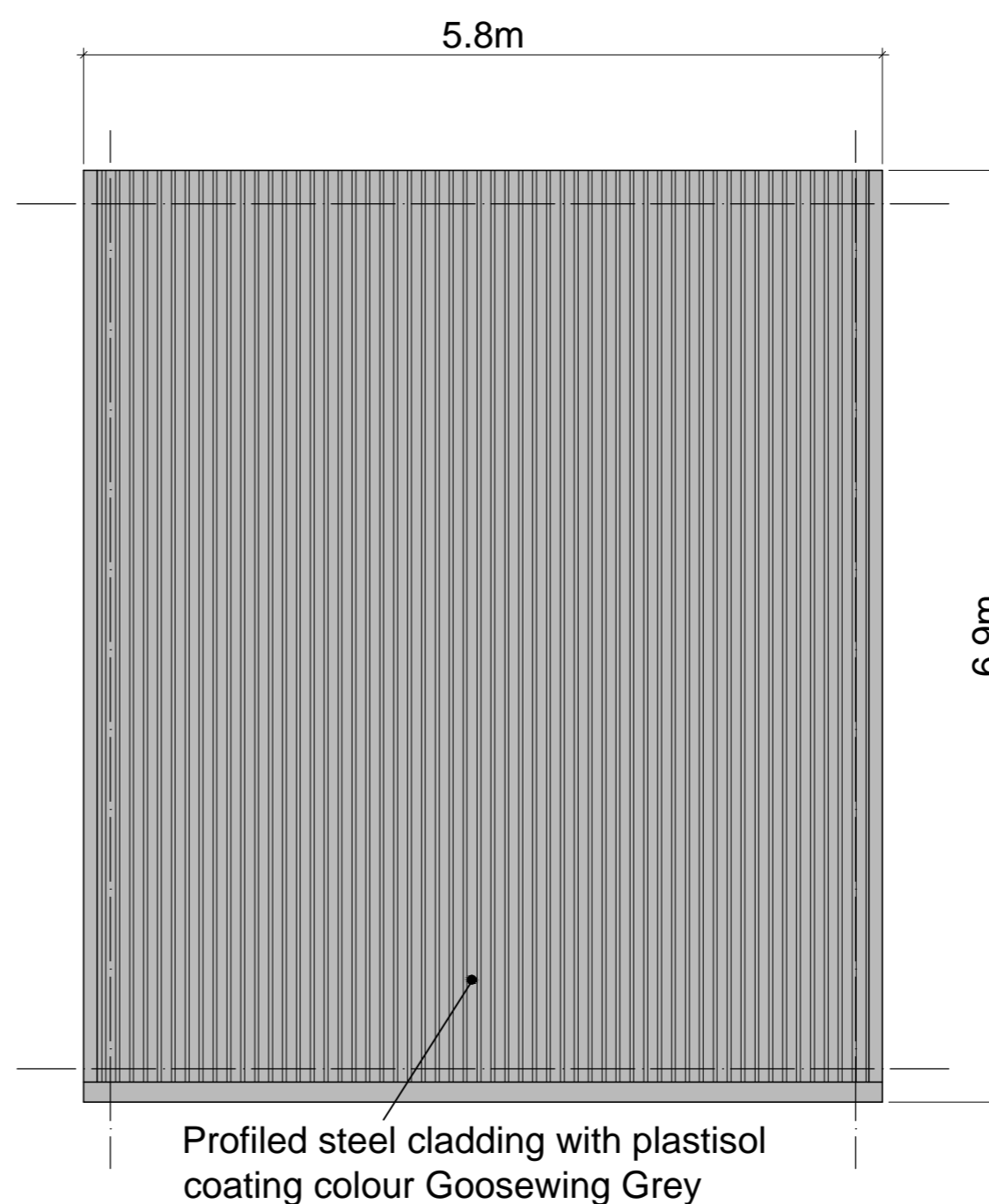
Southeast Elevation



Northeast Elevation



Proposed Building Plan & Roof Plan @ 1:50



Project	PROPOSED NEW GARAGE ON EXISTING COUNCIL GARAGE COMPOUND, BARNES AVENUE, ROSSENDALE BB4 8ST
Drawing	PROPOSED BUILDING PLAN, ELEVATIONS
Client	MR S. HESKETH
Dwn. By	NP
Scale	1:50 @ A1
Drg. No.	22-55-11
Drg. Size	A1
Date	OCTOBER 2022





Rossendale BOROUGH COUNCIL

The Town and Country Planning
Management Procedure (England)

Application Reference: **2022/0174**

The Council that P. White has applied to Rossendale Borough Council for

approval of a community sports club to provide a new sports pavilion, additional parking, additional training pitch, additional parking, flood lighting and flood lighting at the Sports Club, South Shore Street, Haslingden, Rossendale Borough, Lancashire, BL7 9JG.

You can view this application, electronically, on the Council's website at <https://www.rossendale.gov.uk> or by visiting the Council's website at <https://www.rossendale.gov.uk> when you search for the application reference number above within 21 days of the date of publication of this notice. Information will be made available to others and is available to the public.

If you wish to comment on this application, your comments will be considered with the appeal. Representations should be made to the Council by the date of the appeal. Representations should be made to the Council by the date of the appeal. Representations should be made to the Council by the date of the appeal.

Rossendale Borough Council objects to the proposed development on the grounds that it is considered to be in the public interest. The Council has considered the application and has concluded that it is not in the public interest to grant the proposed development. The Council has considered the application and has concluded that it is not in the public interest to grant the proposed development.

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