

Application Number:	2024/0234	Application Type:	House Holder
Proposal:	Householder - Removal of attached garage and side entrance porches, and the erection of rear and side extensions	Location:	2 Chelston Drive , Helmshore ,Rossendale , Lancashire , BB4 4LB
Report of:	Head of Planning and Building Control	Status:	For Publication
Report to:	Development Control Committee	Date:	03/09/2024
Applicant:	Mr Steve Black	Determination Expiry Date:	26/07/24 EOT agreed 12/09/2024
Agent:	Mr Ben Edmondson , Edmonson Design Services		

Contact Officer:	Chris Beebe	Telephone:	01706 217777
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	Yes
Other (please state):	N/A

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been considered 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 approved subject to the conditions set out at the end of this report.

2. **THE SITE**

The house subject of the application is a single storey detached bungalow with a detached garage. The dwelling is part brick built with render and cladding along with concrete roof tiles.

The dwelling has gardens to the front and rear with the rear garden being enclosed by fencing.

Vehicular access is taken off Chelston Drive to a detached garage in the rear garden with parking for 2 cars at the side of the house.

The site is located within the Urban Boundary as designated by the Local Plan.

The surrounding area is predominantly residential with a mixture of house types.

3. **RELEVANT PLANNING HISTORY**

None

4. **PROPOSAL**

Permission is sought for the works described below.

Removal of existing detached garage facilitating a single storey wrap around rear and side extension. The rear extension will match the height and roofline of the original dwelling and will project 4 M from the rear of the original house.

The rear elevation features glazed doors and windows giving onto the rear garden along with high level rooflights.

The rear extension wraps around to give a side element to the extension which will feature a pitched roof and will project 2.7 M from the southern elevation of the house. The side element features doors and windows on the front and rear elevations along with high level rooflights with a blank gable elevation. The side extension features a dual pitched roof which will meet the original roof with a matching ridge height.

A small side extension with a pitched roof is proposed on the northern elevation replacing an existing smaller porch.

The extensions create additional living accommodation and will allow for reconfiguration of the existing internal layout although the number of bedrooms remains unchanged at 3.

The extensions and original dwelling are to be finished in render with roofing tiles to match the original dwelling.

The application initially included a raised patio area at the rear of the rear extension but this has since been removed following feedback from officers.

The dropped kerb is unaltered.

5. POLICY CONTEXT

National

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 6 Building a strong, competitive economy
Section 12 Achieving well-designed places

Development Plan

Local Plan 2019-2036

SS Spatial Strategy
ENV1 High quality Development in the Borough
TR4 Parking
HS9 House Extensions
ENV9 Surface Water Run Off, Flood Risk, sustainable drainage and Water Quality

Supplementary Planning Guidance

Alterations and Extensions to Residential Properties

Other Material Planning Considerations

National Planning Practice Guidance

6. CONSULTATION RESPONSES

Highways have raised no objection. Comments included below:

“The Highway Development Control Section of Lancashire County Council has no objections to the planning application and is of the opinion that the proposal should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.”

“As detailed in Rossendale's Local Plan, a 3-bedroom dwelling should be provided with 2 off-street car parking spaces. These spaces should measure 5m in length and 2.4m wide each. The Block Plan, drawing 2024/04-01 Rev B, indicates that the site will retain adequate off-street parking provisions for its size and nature”

7. REPRESENTATIONS

Objections have been received from 6 neighbours. The grounds of objection can be summarised as follows.

- Loss of privacy
- Inadequate access – neighbour will not allow access to their property to facilitate construction (this is not material)
- Too high
- Security lights if fitted (none are proposed) would impact neighbours
- Overbearing form of development
- Flooding
- Loss of light
- Too close to neighbours
- Out of keeping with character area
- Negative visual impact
- Reduction in parking
- Traffic generation
- Overbearing / overly large
- Application lacks information
- Drainage
- Lack of car parking
- Lower house prices (this is not material)

8. **ASSESSMENT**

Design in relation to existing dwellings

The proposal is of an acceptable scale and design.

The extensions are subservient to the original house in terms of scale while the design complements the appearance of the house in terms of height, fenestration and roof detail.

The materials to be used will not appear incongruous in the wider setting of the locale where render is a common feature.

Effect on the street scene and the character of the area

The design of the extensions complements the existing house and are of an appropriate scale and massing.

The use of render will not appear incongruous in the setting of Chelston Drive and the wider estate, and its use accords with the character of the wider locale where a number of properties including the application site feature render on the front elevation.

The roof design is appropriate at this type of dwelling and is harmonious to the original house. The additional bulk of the larger side extension is mitigated by it being set back from the principal elevation of the dwelling and located towards the rear of the property.

Window details complement existing openings within the original house. The proposed black UPVC windows will give the dwelling a contemporary appearance and are similar to those fitted to the neighbouring bungalow.

Conditions will be attached to ensure appropriate materials are used.

Overall the development does not cause harm to the visual amenities and will harmonise with and complement the original dwelling.

Residential Amenity

Objectors' concerns are noted, however it is not considered that the development proposed would unduly harm the amenity of neighbouring residents to such a level that would warrant a refusal of planning permission in this case. In arriving at this decision officers have regard to the applicant's fall-back position of carrying out development of a similar size to that proposed here under the property's permitted development rights – which planning history searches have shown as not being removed.

Given the location, size and height of the proposal in relation to neighbouring properties, it is considered that day light at neighbouring houses would not be significantly restricted to the detriment of residential amenity. Nor can the extension be considered to be an over dominant form of development.

The rear extension complies with the 45 degree rule contained within the Council's SPD. Any impact of the extension to the dwelling to the south is further mitigated by the neighbour's garage which provides screening.

Neither side extension will impact habitable room windows on the gables of neighbouring houses, but it should be noted that similar sized extensions to each side of the dwelling could be erected under permitted development in any case.

The separation distance from the closest dwelling to the rear is currently 19 M and will be reduced to 15 M as a result of the development, but due to the extension being at ground floor level only with fences providing screening this is not considered likely to cause significant harm to the amenity of neighbours. In this regard, the proposed development complies with the separation distances set out within the Council's SPD.

Owing to the change in levels and the proximity of the rear extension to the neighbouring gardens to the west, it is acknowledged that there will be some degree of over and interlooking from the proposed rear extension. However it needs to be acknowledged that rear extensions with the same rearward projection as that proposed here (4m) can be constructed under permitted development rights, meaning if the applicant's fall-back position of erecting a similar sized extension with windows was implemented a very similar level of harm to that proposed here would result.

The front windows are set behind the windows on the front elevation of the existing house and similarly raise no concerns regarding loss of privacy.

The application initially included a raised patio area attached to the rear extension but this has since been removed at the Officer's request as the raised area had the potential to increase over and inter looking to the detriment of neighbour amenity.

It is not considered the extension will have a significant detrimental impact with regard to privacy. Conditions preventing the insertion of windows into the side elevations of the extension in order to protect neighbours privacy are recommended.

It is considered the proposal causes no significant harm to the amenities of neighbouring occupiers.

Parking Provision / Highways

The house currently benefits from 2 car parking space and a garage with the garage to be removed.

The proposal will result in 2 in curtilage car parking spaces remaining at the side of the property.

This accords with the parking standards in the Local Plan as the property has 3 bedrooms.

It should also be noted that the site is located within a sustainable location and that on street parking is available in the immediate locale.

The proposed development is unlikely to give rise to significant numbers of additional vehicular trips or to significantly increase demand for on street car parking. No additional bedrooms are proposed.

The proposal is acceptable with regard to parking and highway safety.

Highways offer no objection.

Flood Risk / Drainage

The site is located in Flood Zone 1 (lowest risk) and as such the proposals raise no concern in this regard.

9. CONCLUSION

The proposed development is acceptable in principle and would have an acceptable impact in terms of visual amenity, neighbour amenity, and flood risk and highway safety. As such the development is acceptable and in accordance with the Rossendale Local Plan and the NPPF.

10. RECOMMENDATION

Approve with Conditions

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 submitted planning application form and the following drawings and documentation unless otherwise required by the conditions below:

OS SITE PLAN (REC 31/5/24)

EXISTING & PROPOSED PLANS & ELEVATIONS 2024/04-01 (REV C) (REC 13/08/2024)

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 / application form.

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

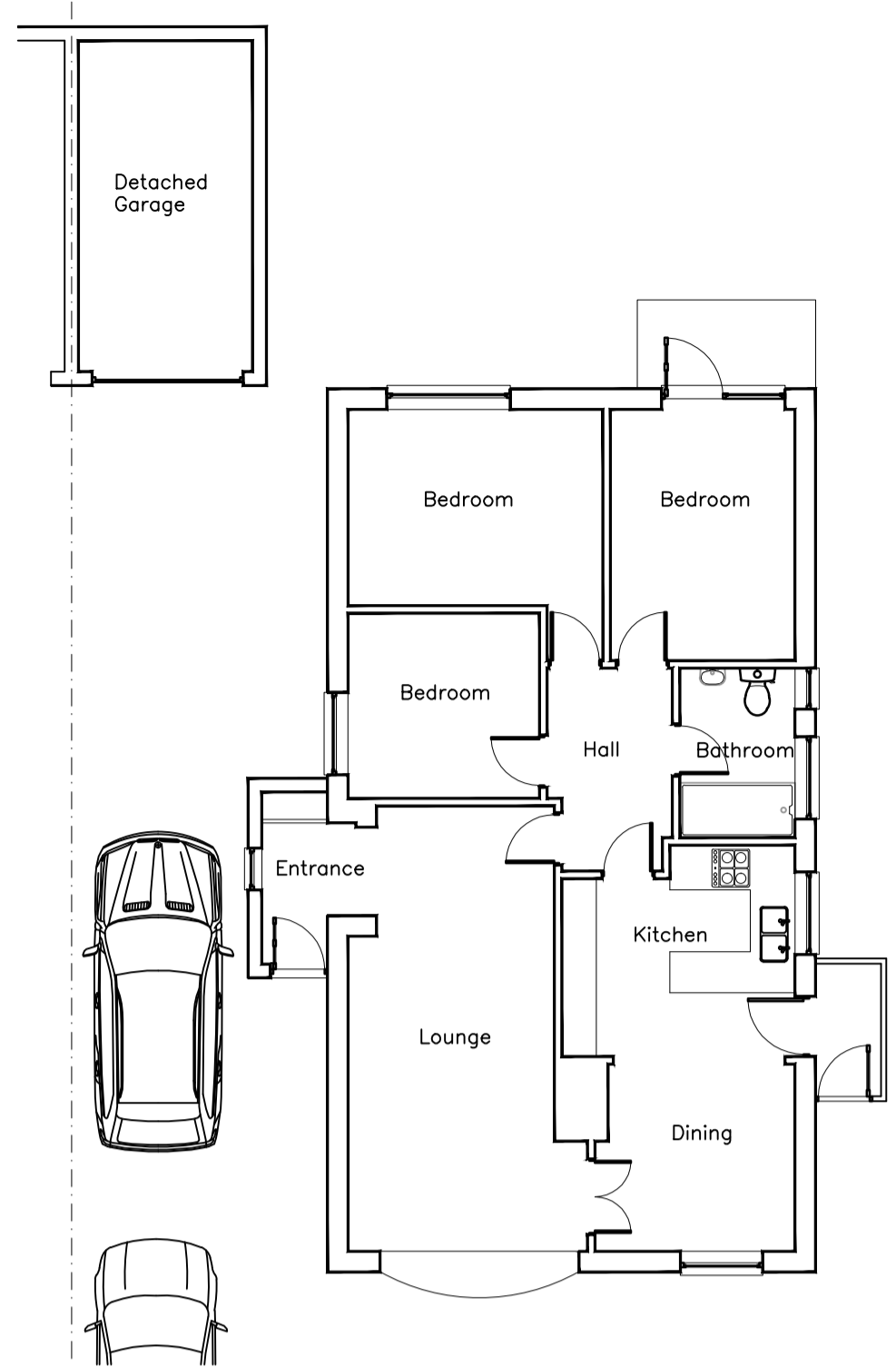
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows, other than those shown on the approved plans shall at any time be placed in the North and South facing side elevations of the building/extension hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy

INFORMATIVE

- 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.
- 2) The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:
 1. Work on an existing wall shared with another property;
 2. Building on the boundary with a neighbouring property;
 3. Excavating near a neighbouring building, and that work falls within the scope of the Act.Procedures under this Act are quite separate from the need for planning permission or building regulations approval. 'The Party Wall etc. Act 1996: explanatory booklet' is available free of charge from: <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>

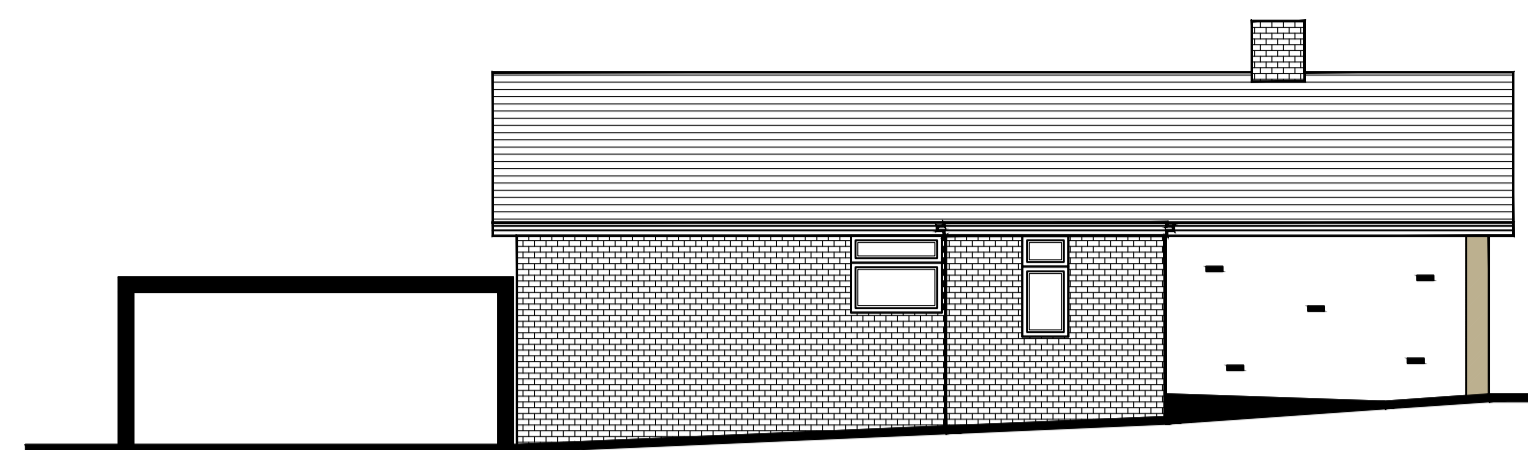
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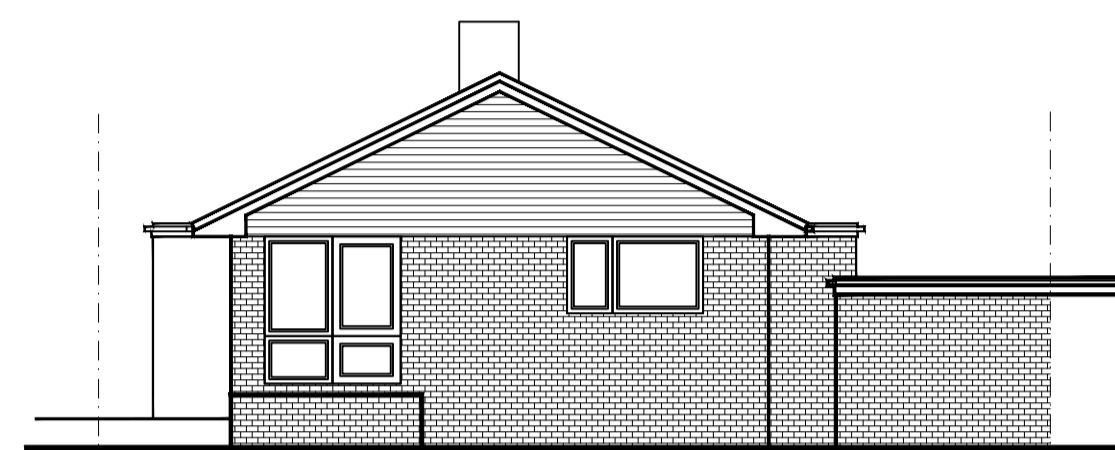
Existing Ground Floor Plan (1:100)



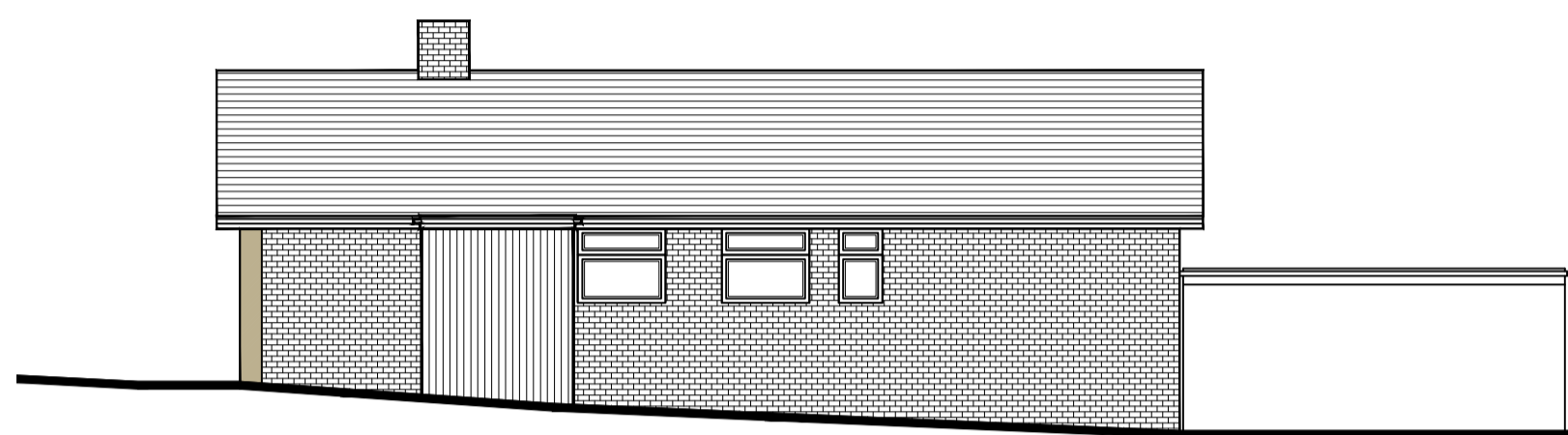
Existing Front Elevation (1:100)



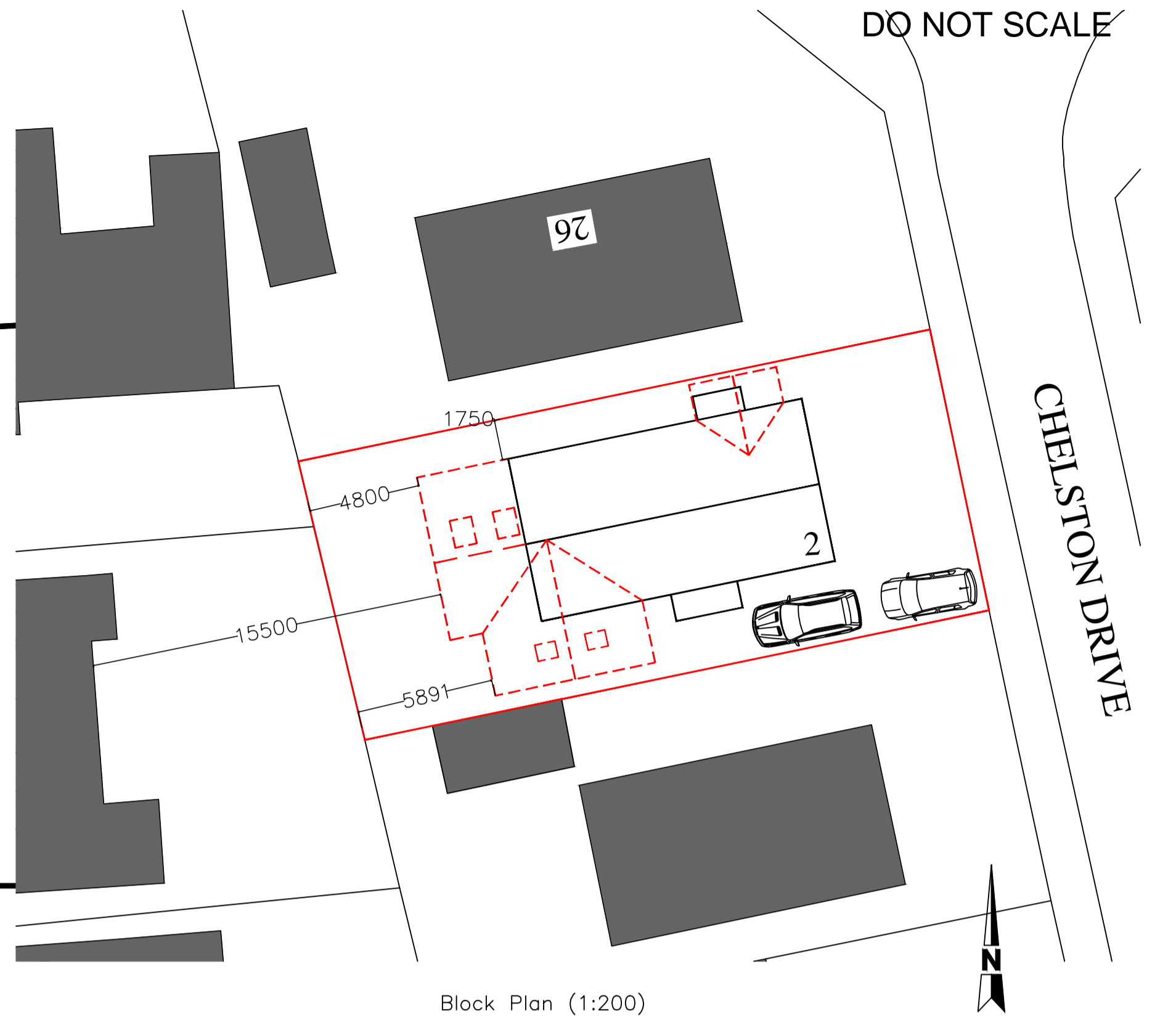
Existing LH Driveway Gable Elevation (1:100)



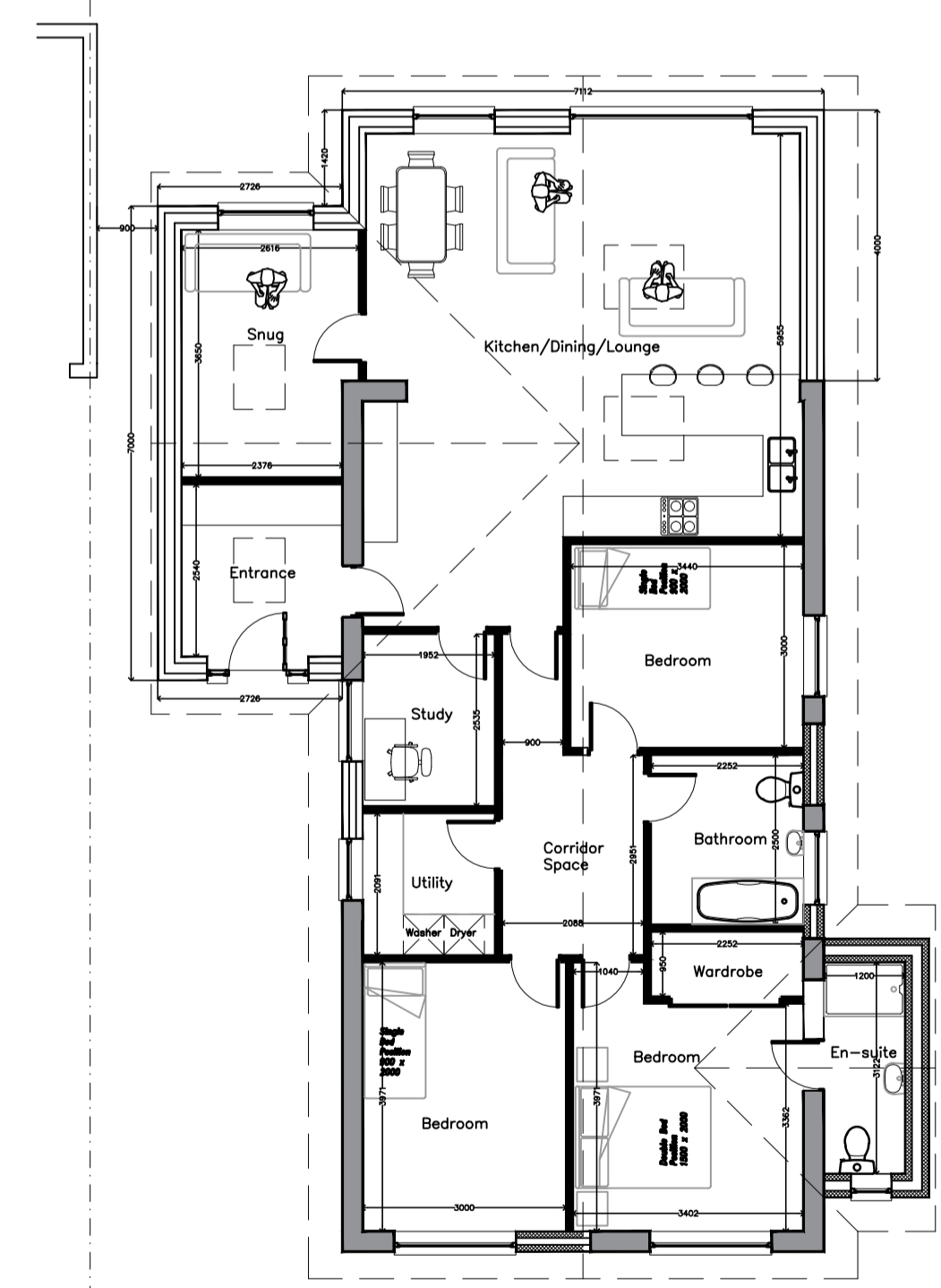
Existing Rear Elevation (1:100)



Existing RH Gable Elevation (1:100)

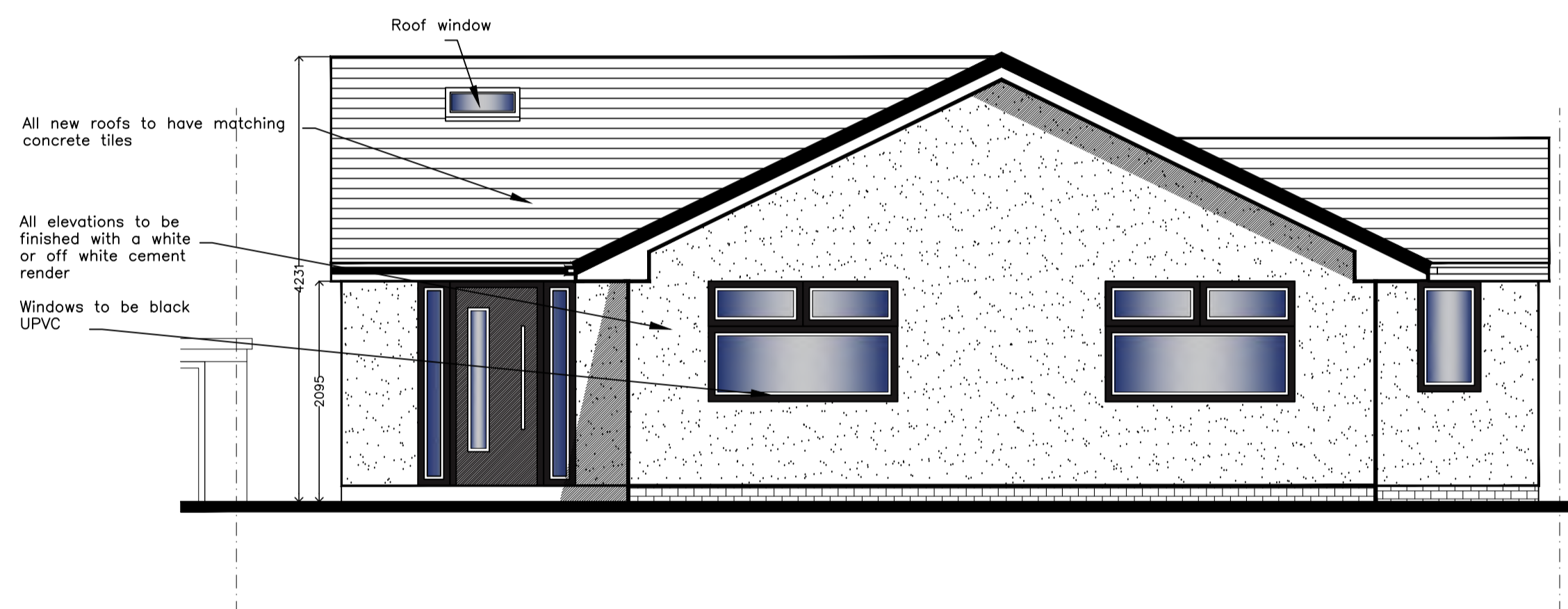


Block Plan (1:200)

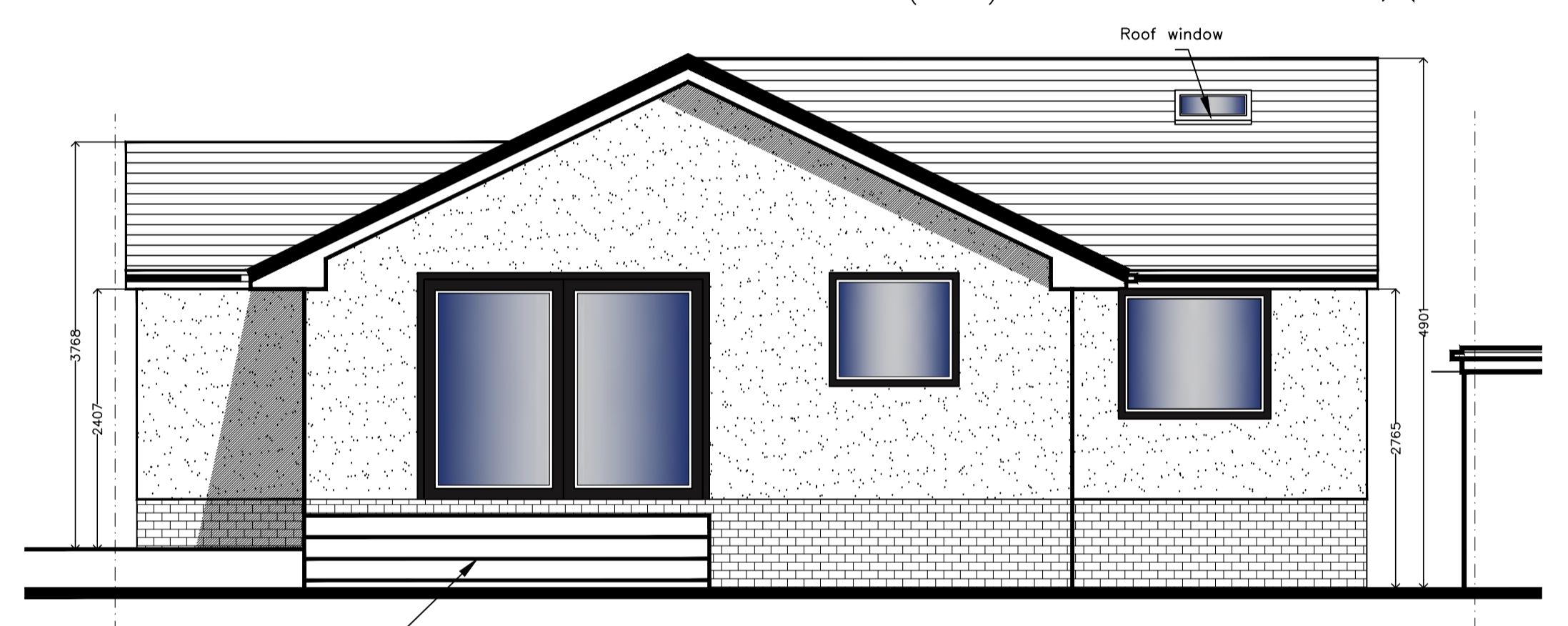


Proposed Ground Floor Plan (1:100)

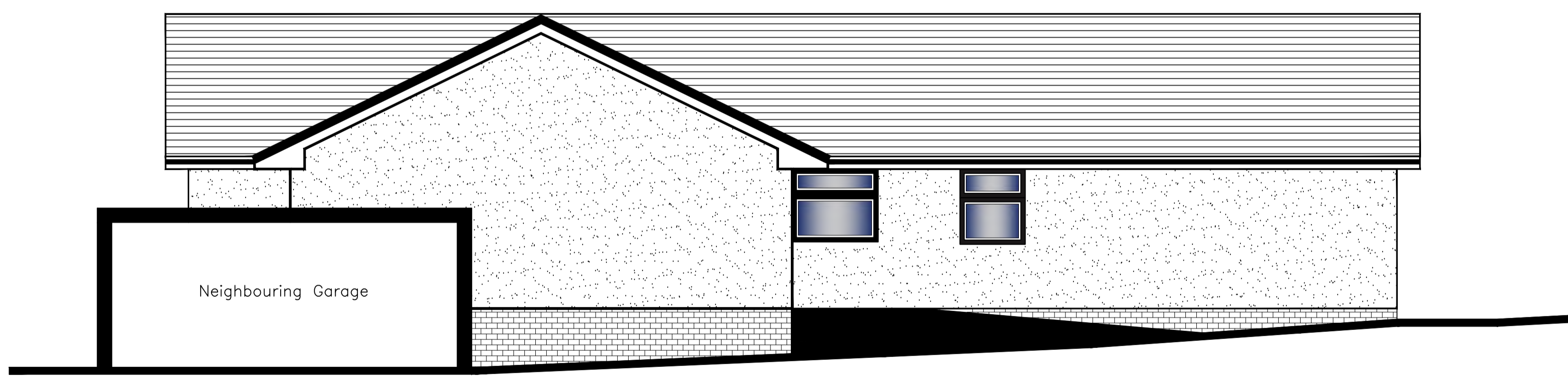
For en-larged Plan refer to drawing 2024-04-02



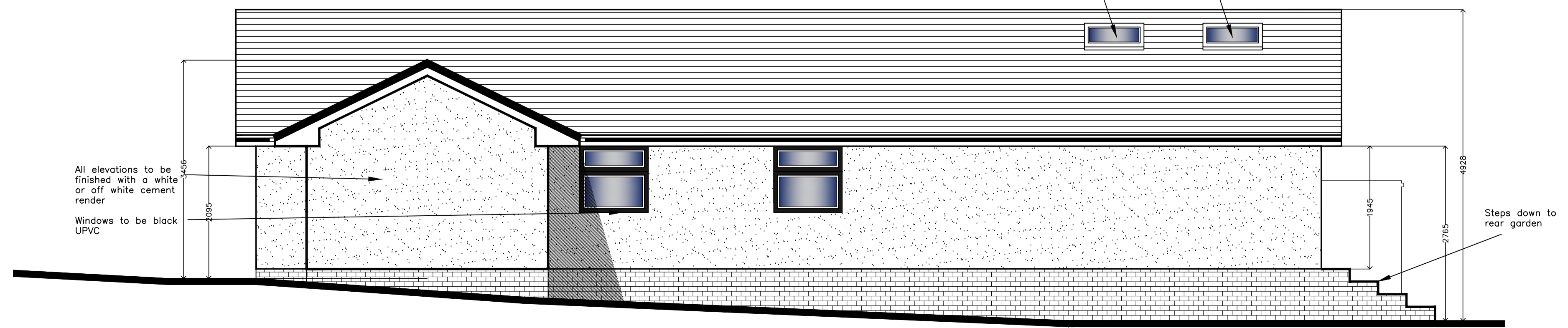
Proposed Front Elevation (1:50)



Proposed Rear Elevation (1:50)



Proposed LH Driveway Gable Elevation (1:50)



Proposed RH Gable Elevation (1:50)

Client
Mr Steve Black

Project
Single storey Rear extension, gable extensions and internal alterations at 2 Chelston Drive, Helmshore BB4 4LB

Job No. 2024/04 Area File Ref

Title
Existing & Proposed Plans & Elevations

2024/04-01 rev. C

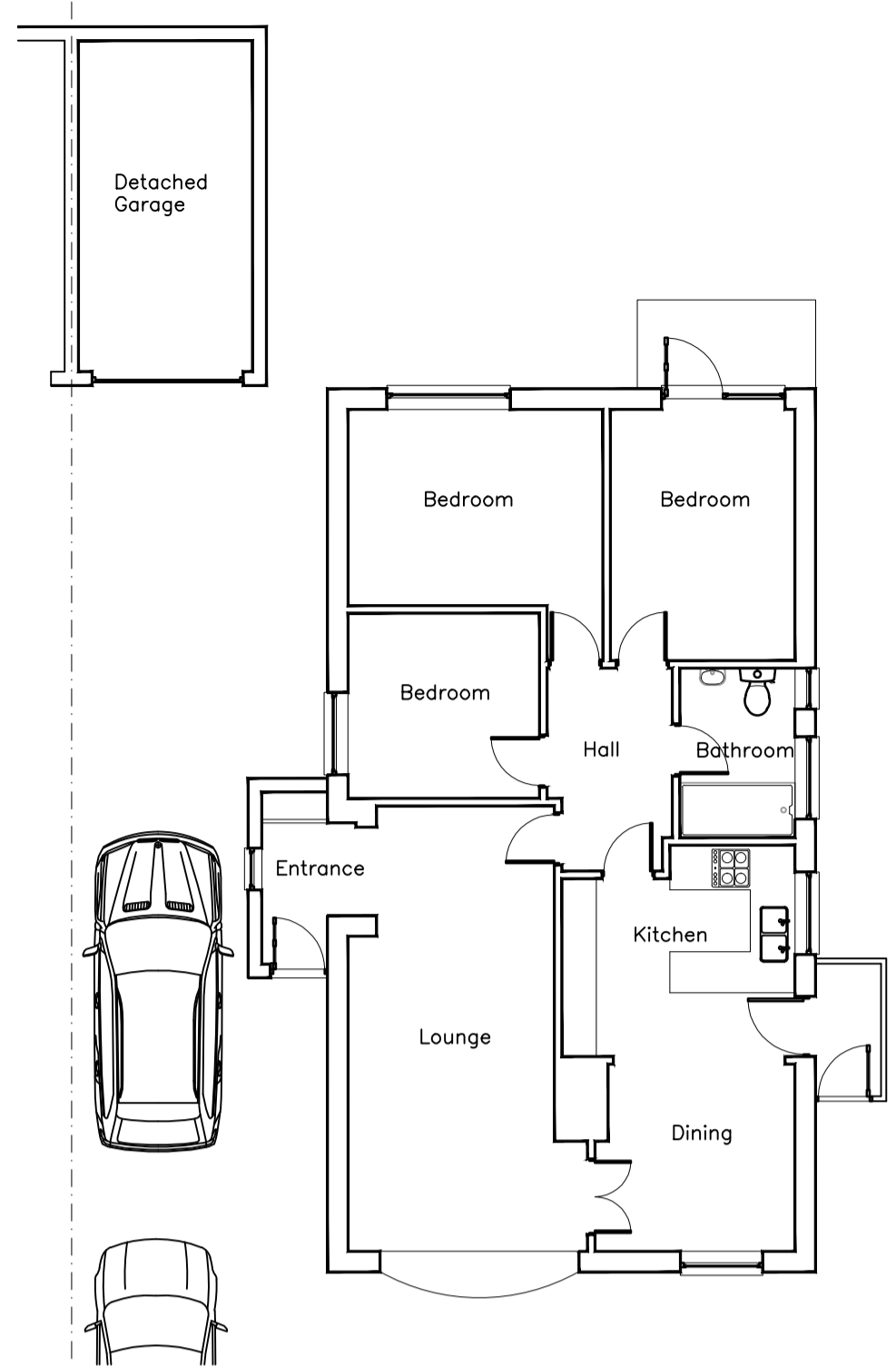
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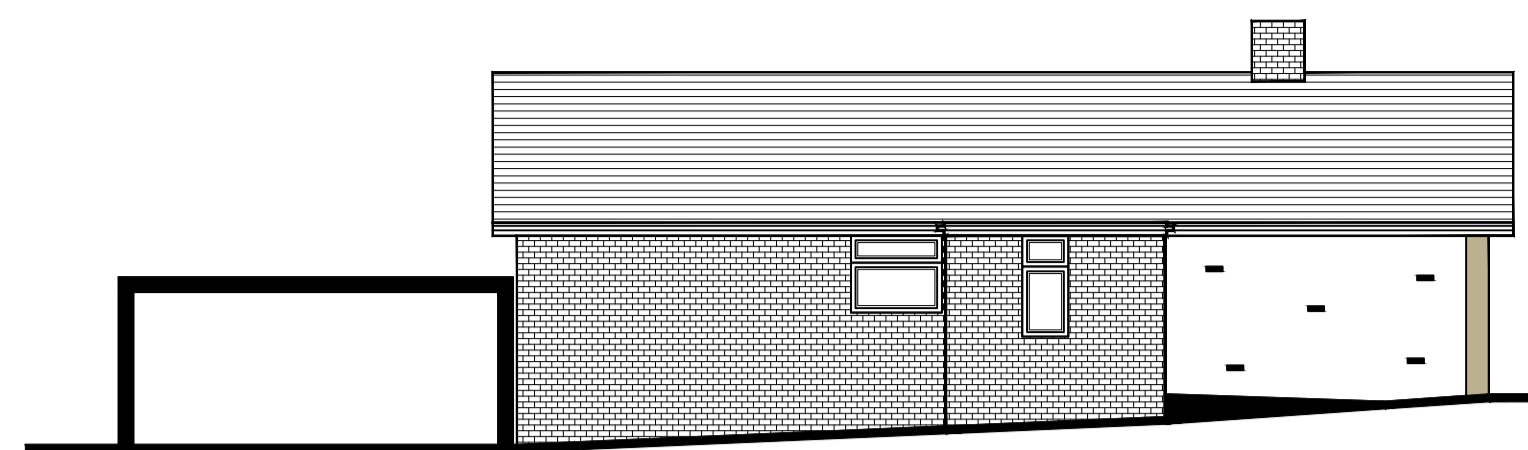
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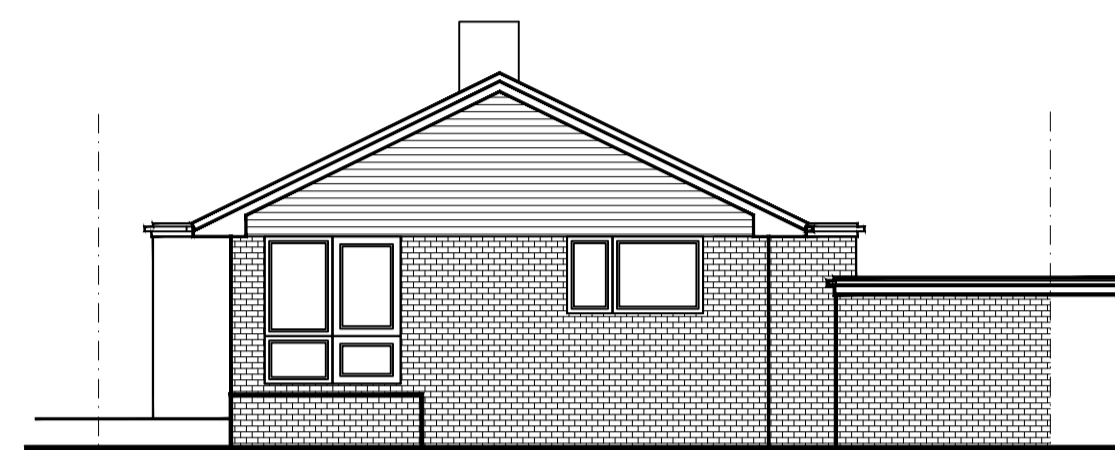
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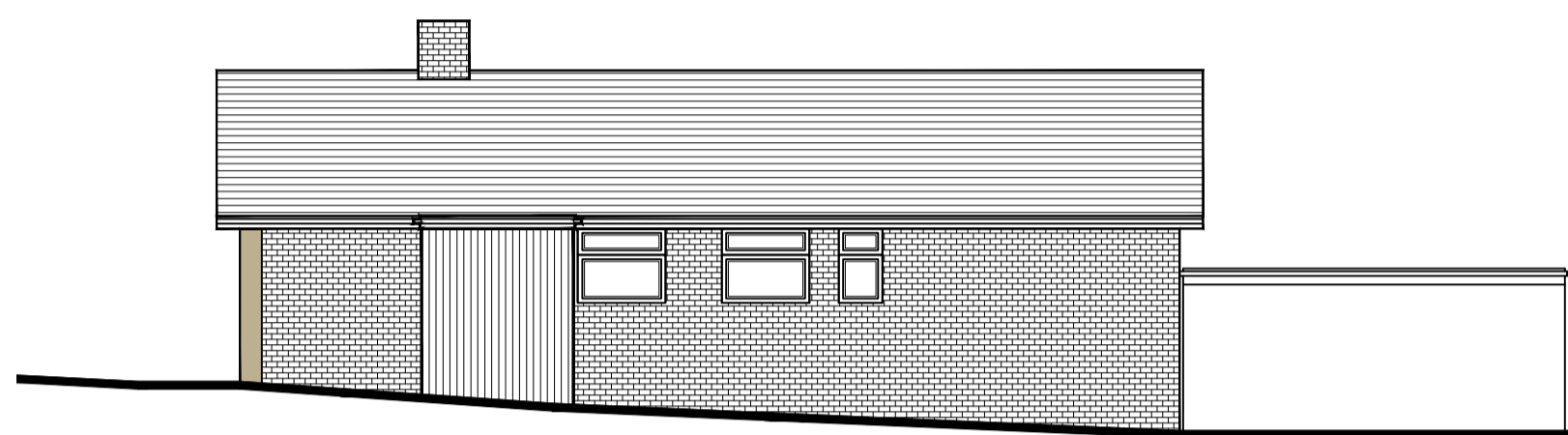
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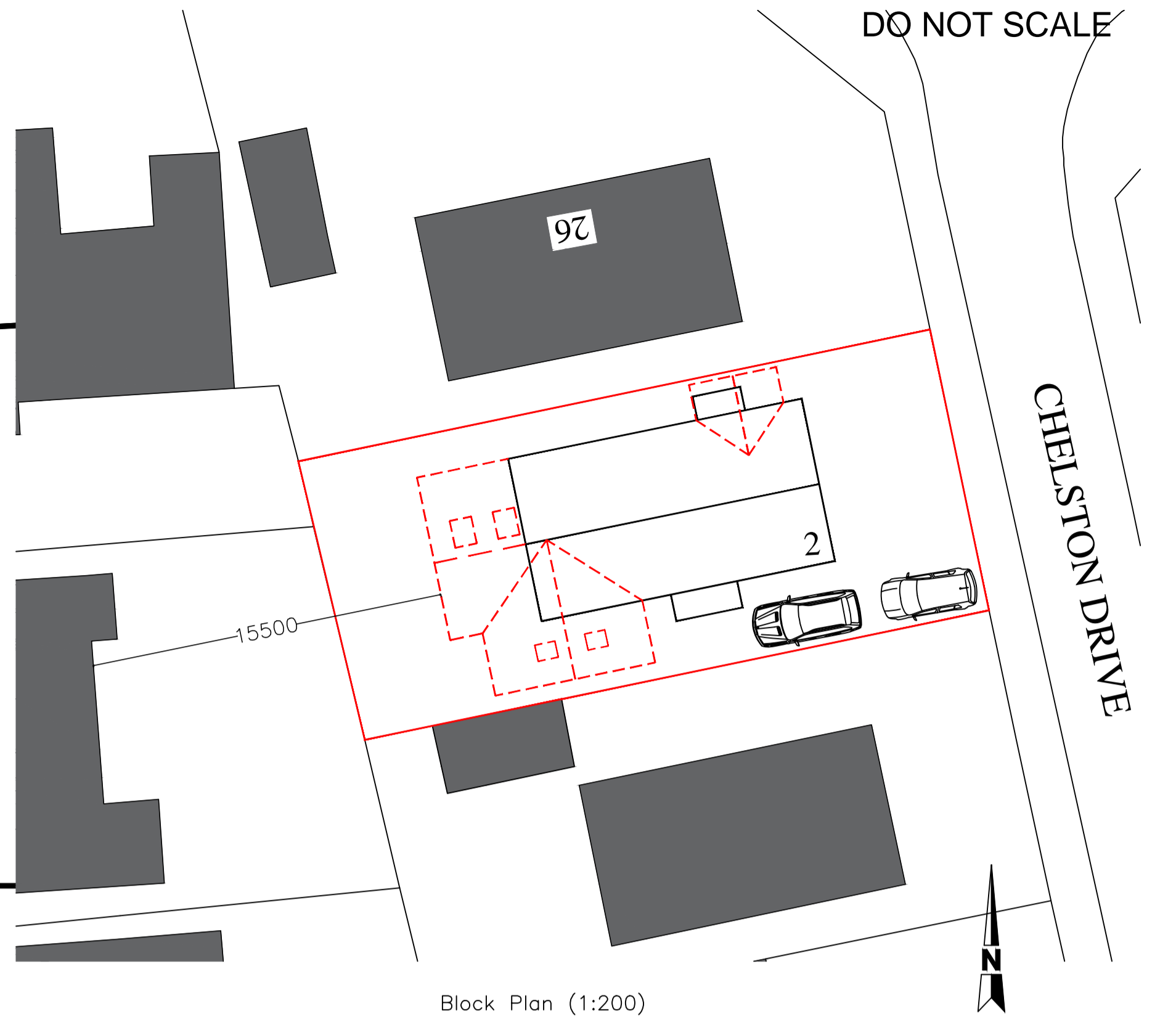
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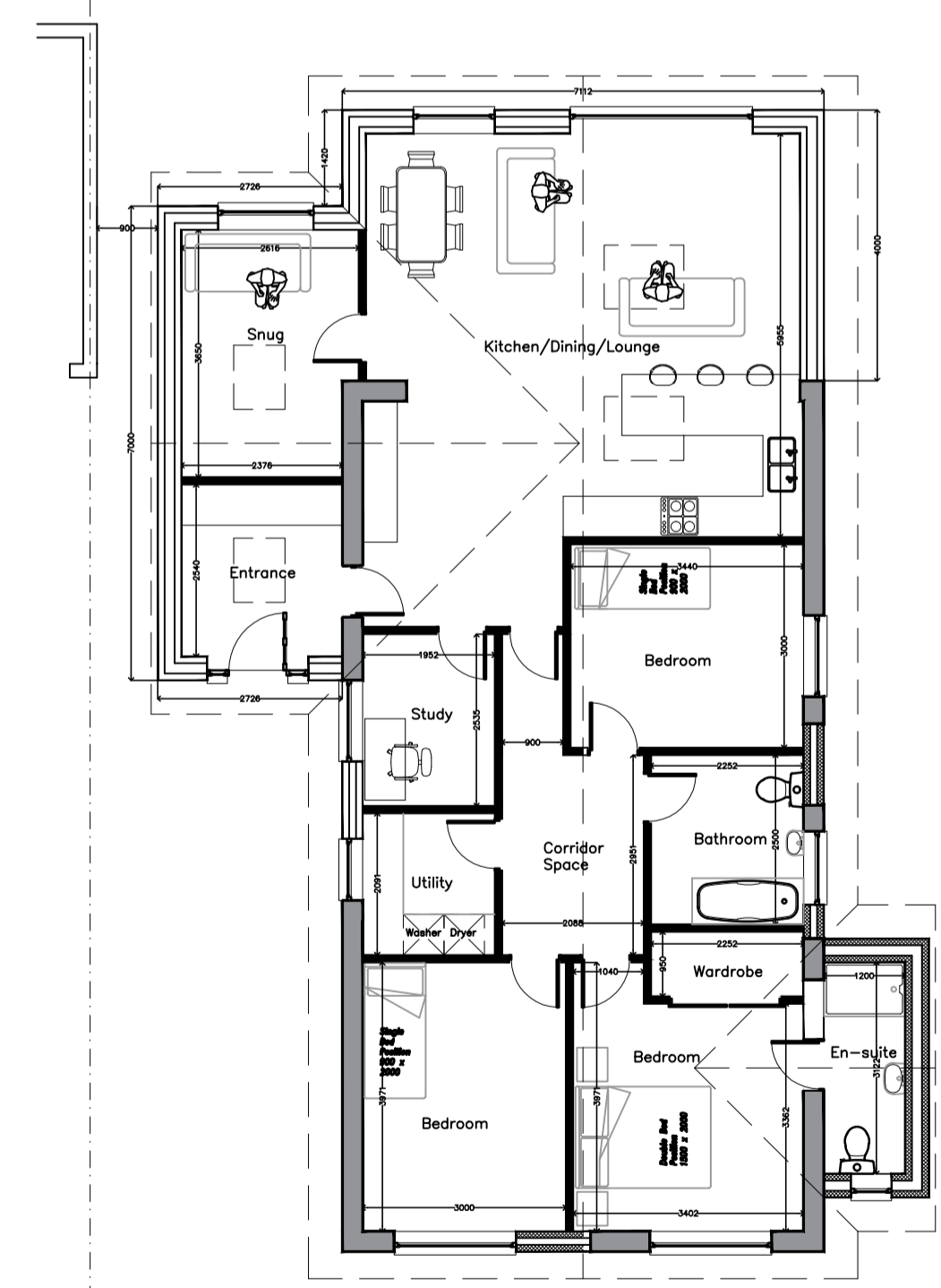
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Existing RH Gable Elevation (1:100)

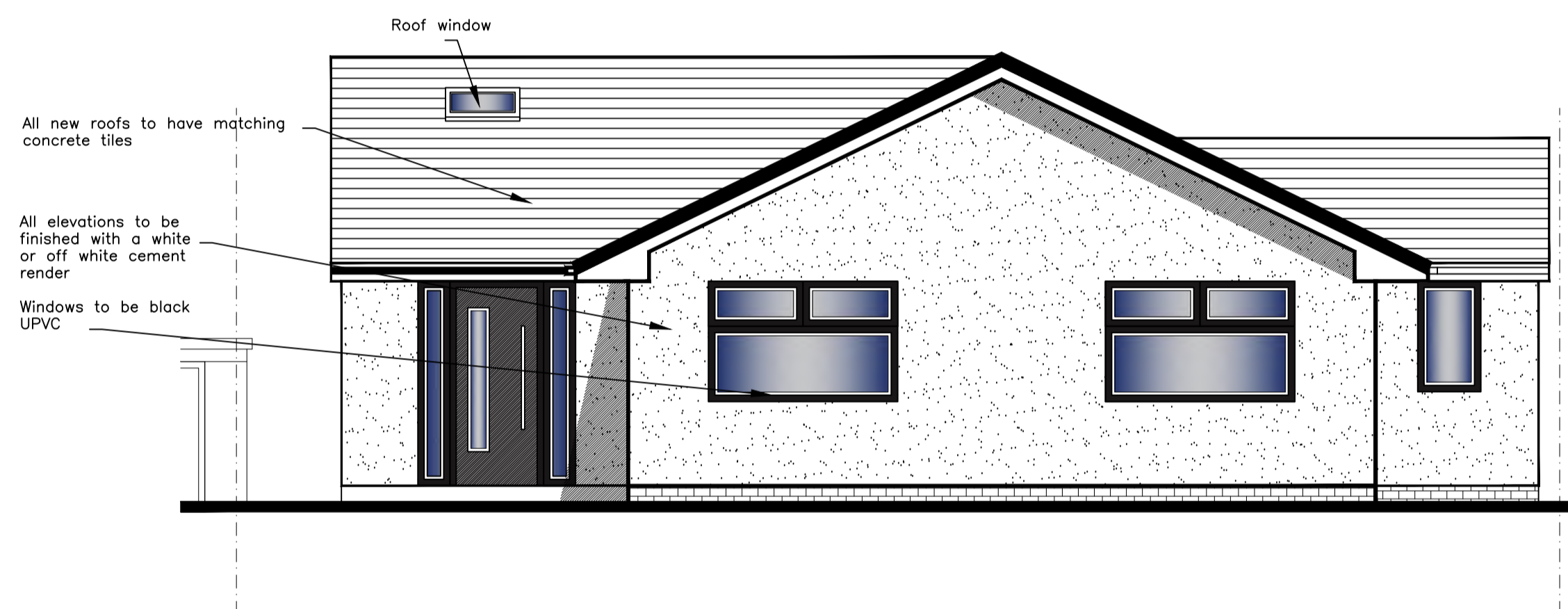


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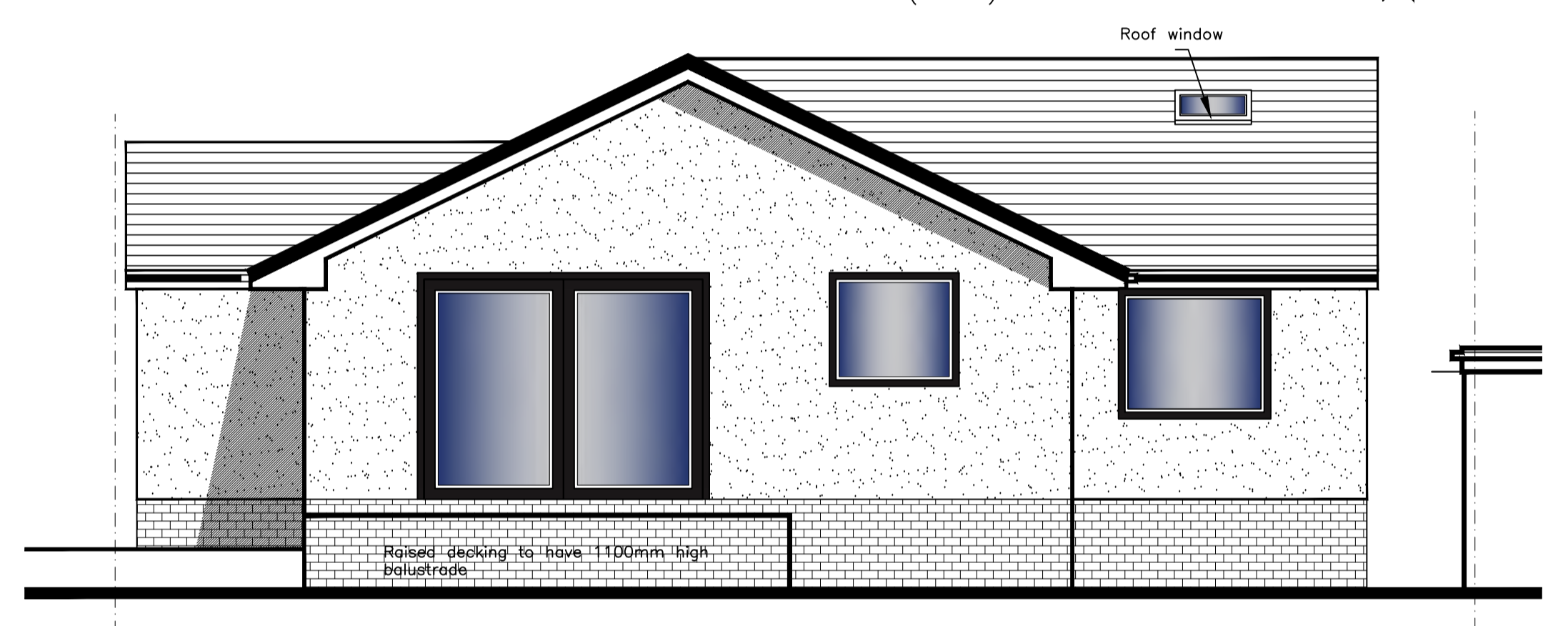


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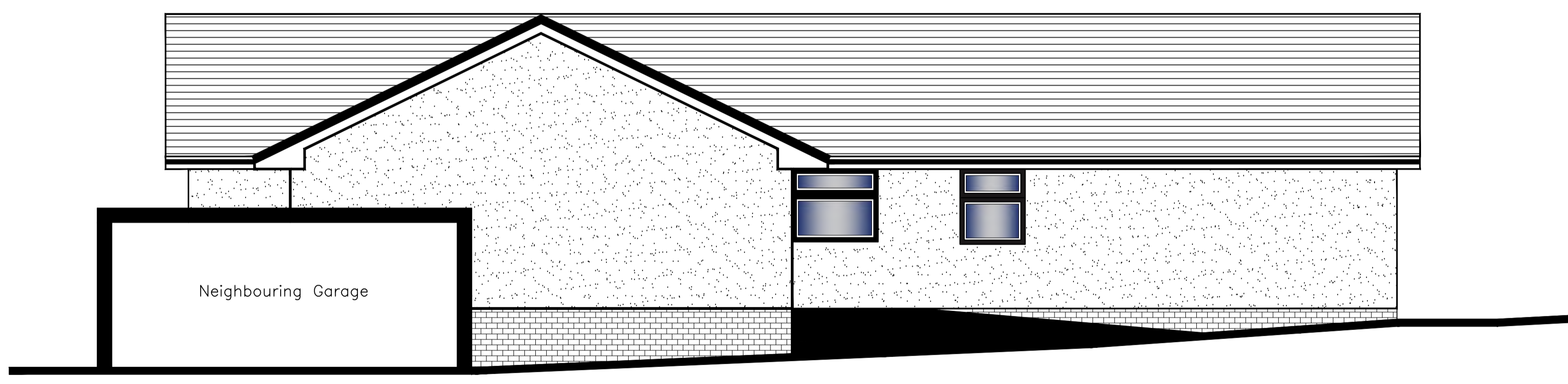
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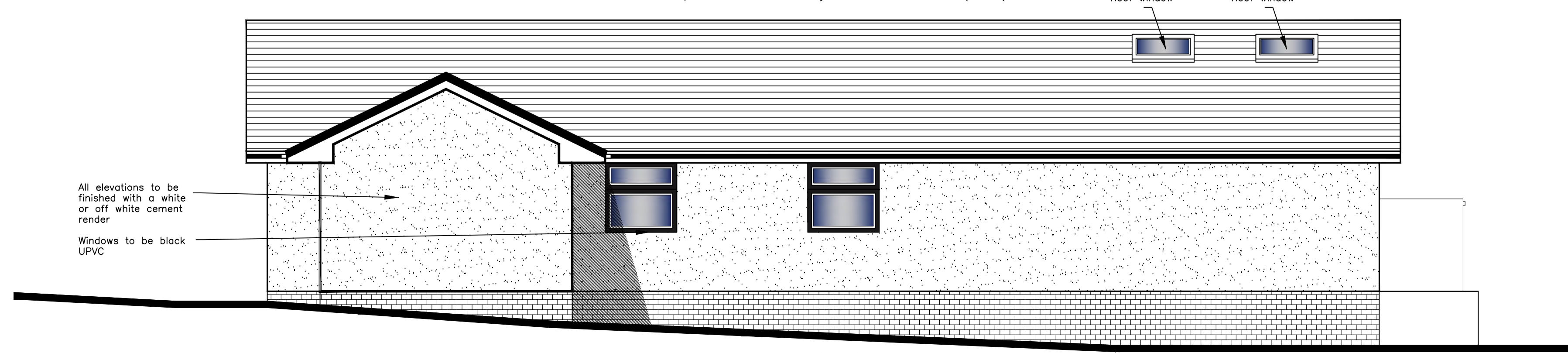
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Checked		

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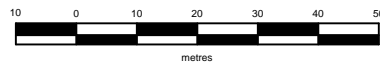
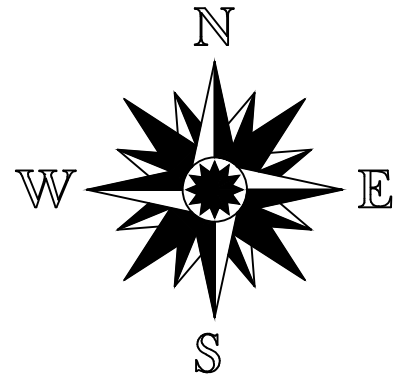
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Project: 2 Chelstone Drive, Helmshore, BB4 4LB

Project No.: 2024-04

Title: OS Site Plan

Scale: 1:1250@A4



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