



<b>Application Number:</b>	2024/0211	<b>Application Type:</b>	Full
<b>Proposal:</b>	Householder: Proposed addition of a dormer to an outbuilding.	<b>Location:</b>	Kashmir House Co Operation Street Cloughfold Rossendale BB4 7QL
<b>Report of:</b>	Head of Planning and Building Control	<b>Status:</b>	For publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	15.10.2024
<b>Applicant:</b>	Mr Riasat Khan	<b>Determination Expiry Date:</b>	11.10.2024 (Time extension added)
<b>Agent:</b>	David Hancock		

<b>Contact Officer:</b>	Chris Dobson	<b>Telephone:</b>	01706 238639
<b>Email:</b>	planning@rossendalebc.gov.uk		

<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>Other (please state):</b>	Yes – Agent is Councillor Hancock

## 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 the application should be approved subject to conditions.

## 2. APPLICATION SITE

Kashmir House is a substantial detached house constructed of regular coursed natural stone, for the external walls, under a natural blue slate roof. It occupies an elevated position at the extreme northern end of Wheatholme Street on land which lies within the Urban Boundary of Rawtenstall. A freestanding two-storey outbuilding constructed to provide storage space and physiotherapy room/gym sits to the south of the site directly adjacent to the row of stone built terraced dwellings located on Wheatholme Street. It is this outbuilding to which the development work proposed under this application relates.

## 3. RELEVANT PLANNING HISTORY

2002/052 - Erection of detached dwelling with garage/store - **Approved 23/07/02.**  
Subsequently amended by letter to include first floor verandah

2005/025 - Change of house type to 7 bed dwelling – **Approved 19/05/05**

2008/0275 - Amended proposal for garage/storage building - **Approved 29/07/08**

2013/0567 - Extension of the balcony – **Approved 20/02/14**

2019/0020 - Freestanding two storey building to provide storage space and physiotherapy room/gym- **Approved 06/03/19**

2019/0171 Change of use of land into garden curtilage of Kashmir House – **Refused 25/07/19**

2023/0559 - Householder: Proposed brick built dormer windows and alterations to elevations of the gym approved under reference 2019/0020 – **Refused 21.02.2024**

2024/0121 - Lawful Development Certificate - Proposed Use: Construction of a dormer – **Withdrawn 08.05.2024**

## 4. PROPOSAL

Planning permission was granted in March 2019 to construct a freestanding two-storey building to the immediate north east of the gable of 26 Wheatholme Street. This was to be used to provide additional domestic storage space at basement level with a physiotherapy room and gym at ground floor level.

The applicant now seeks to add a dormer extension to the rear elevations (western) roof slope. The dormer is proposed to be finished with hanging slate tiles to match those in place on the existing roof with windows to match the style of the existing windows in place. The dormer is shown to be set back slightly from the existing rear elevation wall, set in from the side elevation walls and set down below the existing roof ridge. Internally, the submitted plans show the use of the room will change from storage space within the roof to a sitting/rest area.

## 5. POLICY CONTEXT

### Policy Considerations

#### National Planning Policy Framework

Section 12 Achieving well-designed and beautiful places

Section 15 Conserving and enhancing the natural environment

#### Development Plan Policies

Policy SS: Spatial Strategy

Policy SD1: Presumption in Favour of Sustainable Development

Policy SD2: Urban Boundary and Green Belt

Policy ENV1: High Quality Development in the Borough

Policy HS9: House Extensions

#### Other Material Planning Considerations

RBC Alterations & Extensions to Residential Properties SPD

## 6. CONSULTATION RESPONSES

LCC Highways	No objections subject to condition
RBC Environmental Health	No comments to make

## 7. REPRESENTATIONS

In order to publicise the application consultation letters were sent to surrounding neighbours on 09.07.2024 with a site notice posted at the site on 30.07.2024.

No comments/objection have been received

## 8. ASSESSMENT

The main issues for consideration in this instance are:

- a) Principle
- b) Impact upon the character and appearance to the host dwelling and surrounding streetscene
- c) Neighbour Amenity
- d) Highway Safety

### Principle

The application site is located within the Urban Boundary of Rawtenstall as defined by the Council's adopted Development Plan. The proposal is therefore considered acceptable in principle.

## **Impact upon the character and appearance of the host dwelling and surrounding street scene.**

The NPPF section 12 advises that planning decisions should ensure that developments are visually attractive as a result of good architecture and are sympathetic to local character.

The Alterations and Extensions to residential development advises that proposals for domestic extensions should *“achieve a high standard of design and gives the appearance of being part of the original building and Specific features, such as doors, windows and roof style and eaves, should particularly reflect the dwelling’s original shape, size, alignment and architectural integrity;”*

Proposals should also *“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 not to dominate it.”*

Policy ENV1 of the Local Plan seeks high quality development in the borough and advises that:

*“All proposals for new development in the Borough will be expected to take account of the character and appearance of the local area, including, as appropriate, each of the following criteria: a) Siting, layout, massing, scale, design, materials, lighting, building to plot ratio and landscaping;”*

Policy HS9 relates to House Extensions and states that *“Permission will be granted for the extension of dwellings provided that the following criteria are satisfied: a) The extension respects the existing house and the surrounding buildings in terms of scale, size, design, fenestration (including dormer windows) and materials, without innovative and original design features being stifled.”*

The development work in this instance proposes the addition of a dormer to the rear roof slope of an existing two-storey outbuilding. There are no specific policies controlling the addition of dormers to outbuildings. The development is assessed on the basis that it is an extension to a residential building and as such should comply with both national and local policies as set out above.

It is noted that a previous scheme under application 2023/0559 was refused with the following reason for refusal detailed on the decision notice:

*“The proposed extension would not represent a high standard of design, as it would be an incongruous feature, not respecting the building’s original form. In addition, the proposed windows would not reflect the alignment, proportions and design of the original building’s fenestration. The proposal would be out of keeping with the wider character of Wheatholme Street. It would therefore be contrary to the NPPF, Policies ENV1 and ENV9 of the Rossendale Local Plan 2019-2026 and the Alterations and Extensions to Residential Properties SPD.”*

The proposal currently being assessed represents a higher standard of design than the previous scheme with the dormer appearing as a traditional dormer usually seen on the rear roof slopes of residential dwellings. The hanging slate tiles proposed to be used are considered an appropriate material reflecting the tiles on the existing roof and the windows have been aligned to reflect those in place on the floors below. The scale of the dormer is acceptable and retains a significant proportion of the existing roof intact. When seen in the context of the surrounding residential terraced dwellings it is not considered the development would appear out of keeping with several of the surrounding dwellings containing dormers upon the rear roof slopes.

Accordingly, the development as proposed is considered acceptable in terms of the impact upon the character and appearance of both the host building and the surrounding street scene.

### **Neighbour Amenity**

Both national and local policies aim to protect the amenity of all existing and future occupants of land and buildings. Policy HS9 of the Local Plan 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, outlook and overshadowing are taken into consideration below.

When the construction of the outbuilding was approved (application 2019/0020) it was considered that the new building would stand approximately 9 metres from main aspect windows in the front (north western facing) elevation of 27 Wheatholme Street to the immediate south east. The case officer's report stated the following:

*“However, the level of light that these openings currently receive is already limited by the housing on the opposite side of the road, and the new building will stand to one side, rather than directly in front, of them. In view of this whilst accepting that the proposal will have some effect upon the level of daylight that those windows currently receive (not sunlight because it will also stand slightly to the north of them) It is considered that a refusal of this proposal on grounds of light loss to those openings would be difficult to sustain in this instance”.*

The dormer is proposed to be located on the rear roof slope of the building and will be lower than the existing roof ridge therefore not exacerbating any loss of light experienced to the surrounding dwellings. The closest residential dwelling is No.23 Rose Vale Street however, this is not located directly adjacent to the outbuilding and it is not considered the extent of overlooking of the rear elevation of this property would be significantly greater than the existing levels. In addition to this, no comments/objections have been received during the neighbour consultation phase of the application.

It is not therefore considered that the addition of the dormer as now proposed would not make the situation materially worse with regards light or overlooking to a degree that a refusal could be justified. The development is therefore considered acceptable in terms of the impact upon the surrounding residents.

## **Highway Safety**

The Local Highway Authority has raised no objection, subject to a condition in relation to working hours and deliveries to the site. As such, the proposal is considered acceptable in relation to highway safety.

## **9 RECOMMENDATION**

That the application should be approved subject to 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 planning application form received 20.05.2024 and the following drawings and documentation unless otherwise required by the conditions below:

Title	Drawing No.	Received Date
Location Plan	-	20.05.2024
Block Plan	16018/9	08.07.2024
Proposed Plans, First and Roof Plan	16018/5	20.05.2024
Proposed Elevations	16018/7	20.05.2024
Dormer Section	16018/8	20.05.2024

*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.

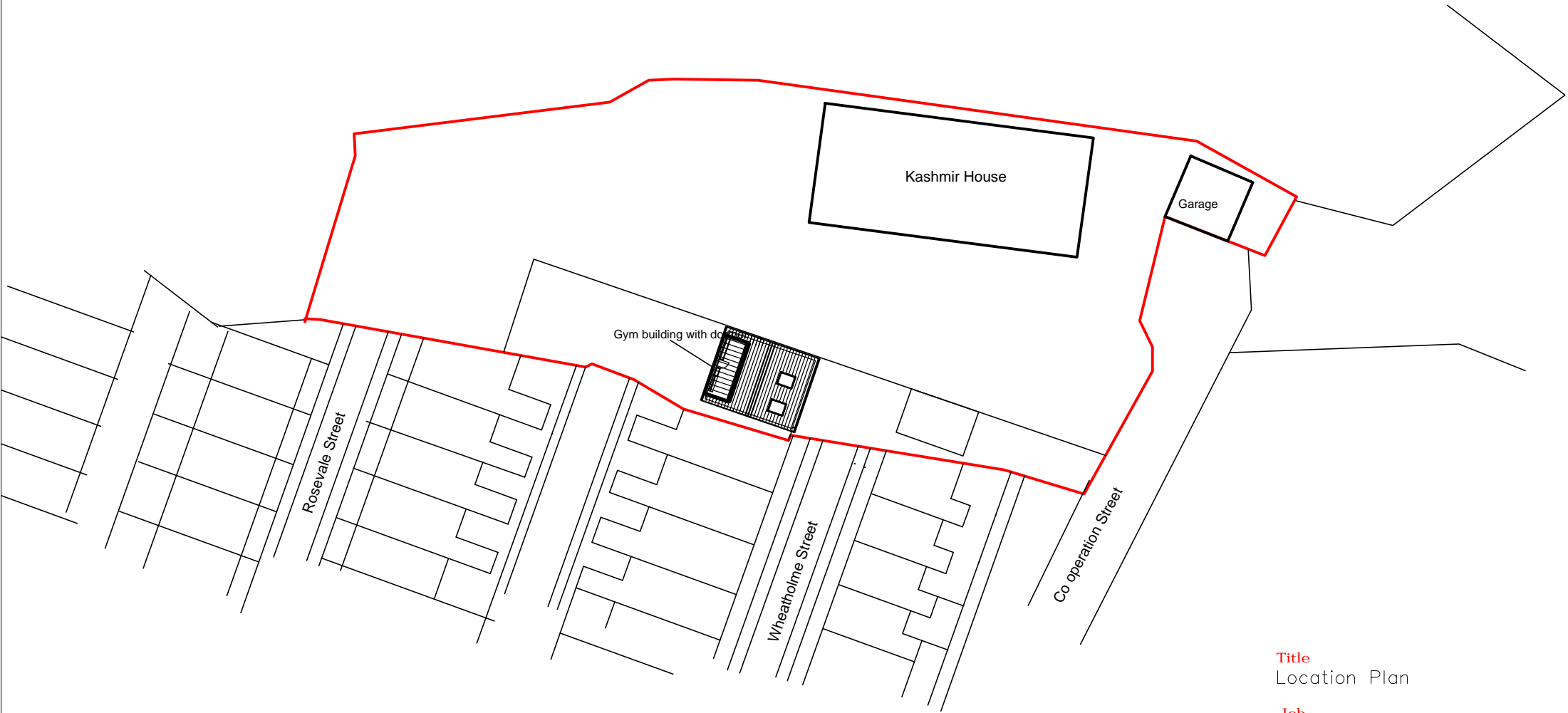
*Reason: In the interests of visual amenity of the area and ensuring that the appearance of the development is acceptable.*

- 4) Any construction works associated with the development hereby approved, including deliveries to and from the site, shall be carried out solely between the hours of 8:00 am and 8:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction works, or deliveries to and from the site, shall take place at all on Sundays or Bank Holidays.

*Reason: To safeguard the amenities of neighbouring properties during the construction works*

## **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.



**Title**

Location Plan

**Job**

Kashmir House, Greenbank  
Gardens, Rawtenstall

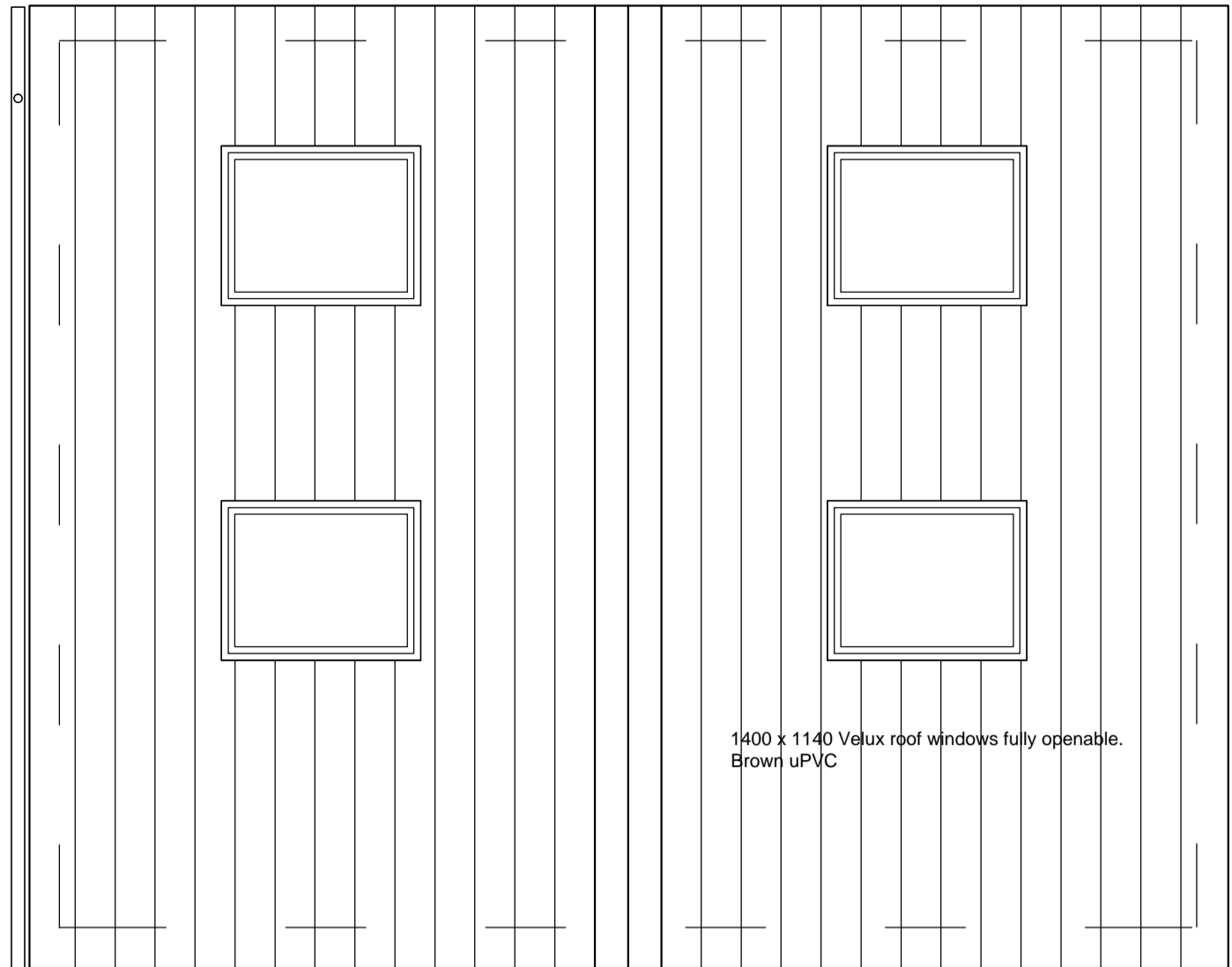
**Client**

**Dwg No**  
16018/9

**Scale**  
1:500

**DJ Hancock Design**  
**22 Croft Street**  
**Bacup**  
**Tel 01706 563502**  
**Mob 07599 008 791**





Fascias and berge boards to match existing uPVC goods.

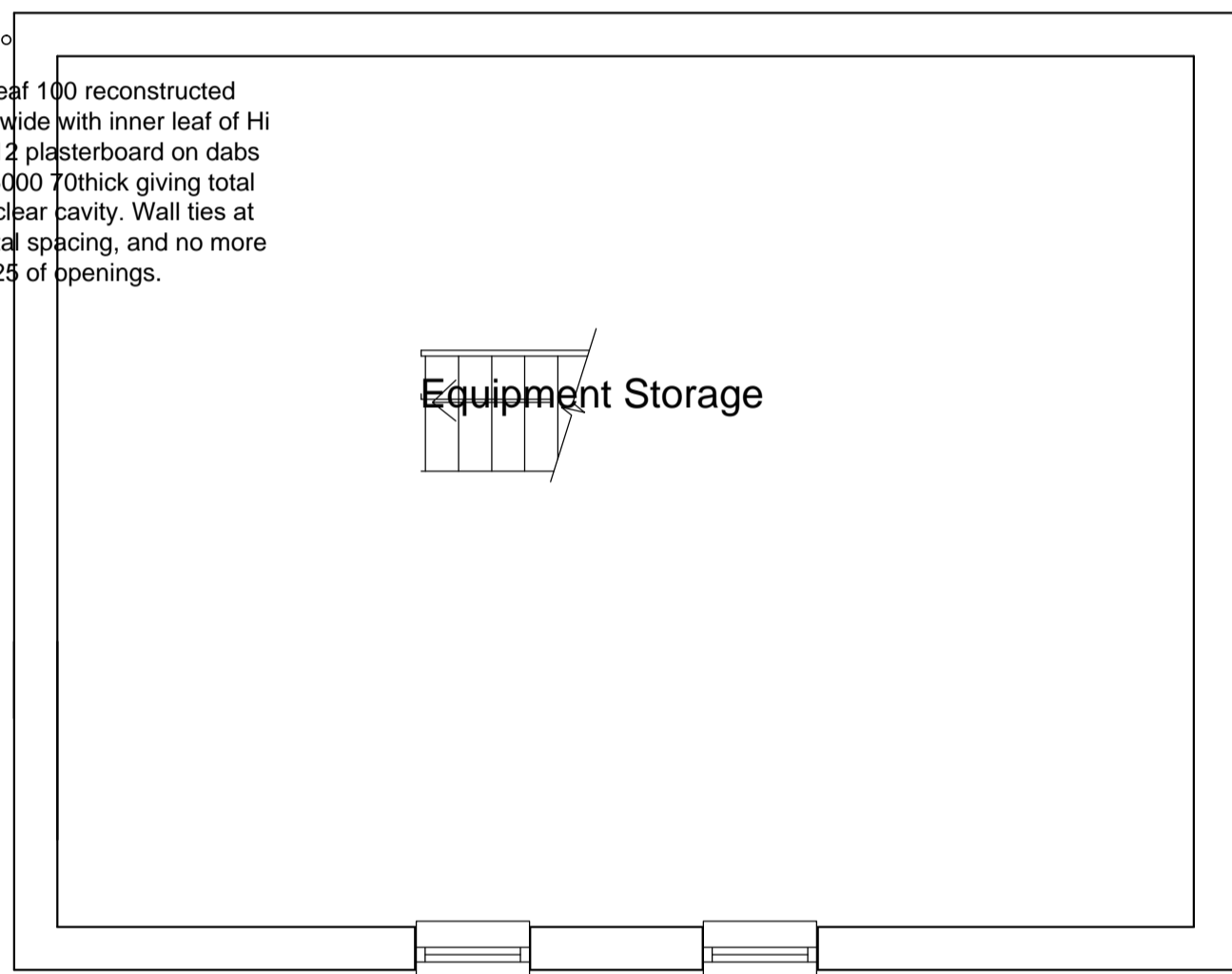
All rainwater system to match existing and to utilise existing drainage system

1400 x 1140 Velux roof windows fully openable.  
Brown uPVC

New roof natural slates to match main building on 25 x 50 battens and couterbattens on roofing felt. Roof joists at 450 centres designed to suit with 150 x 50 joists. Roof insulation above ceiling 300mm Rockwool or equal over trusses . Ventilated eaves and plasterboard to ceiling following line of roof pitch. Roof pitch to match existing building on Wheatholme Street.

Roof Plan

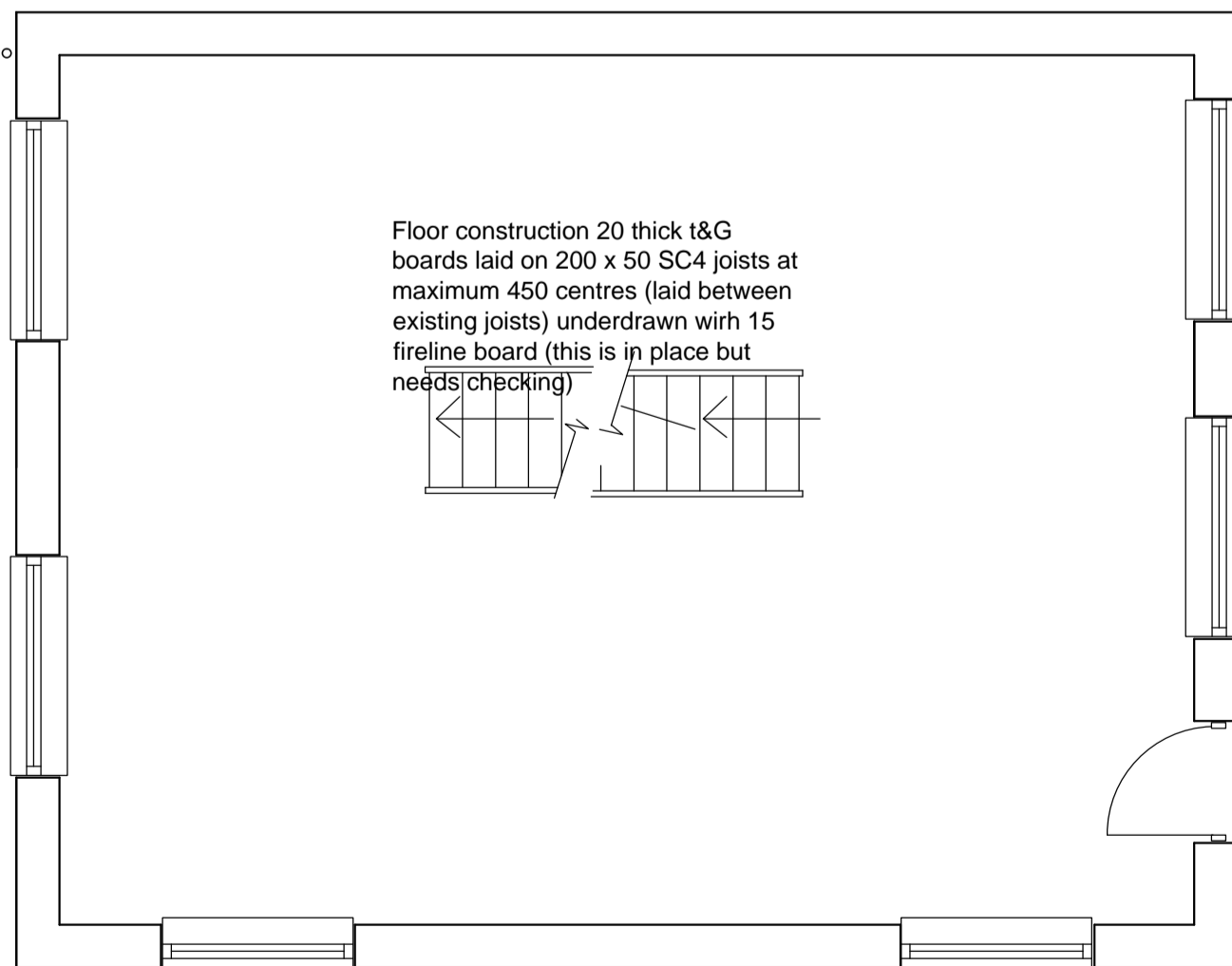
Wall Construction, External leaf 100 reconstructed stone as existing, cavity 100 wide with inner leaf of Hi Seven or similar blockwork, 12 plasterboard on dabs lining. Insulation Celotex CG5000 70thick giving total u value of 0.20 W/M<sup>2</sup>/°C, 50 clear cavity. Wall ties at 300 vertical and 750 horizontal spacing, and no more than 300 vert spacing with 225 of openings.



Equipment Storage

Roof Storage

Floor construction 20 thick t&G boards laid on 200 x 50 SC4 joists at maximum 450 centres (laid between existing joists) underdrawn wirh 15 fireline board (this is in place but needs checking)



Wall Construction, External leaf 100 reconstructed stone as existing, cavity 100 wide with inner leaf of Hi Seven or similar blockwork, 12 plasterboard on dabs lining. Insulation Celotex CG5000 70thick giving total u value of 0.20 W/M<sup>2</sup>/°C, 50 clear cavity. Wall ties at 300 vertical and 750 horizontal spacing, and no more than 300 vert spacing with 225 of openings.

Physiotherapy/Gym Level

Title  
Existing Plans

Job  
Kashmir House, Greenbank  
Gardens, Rawtenstall

Client

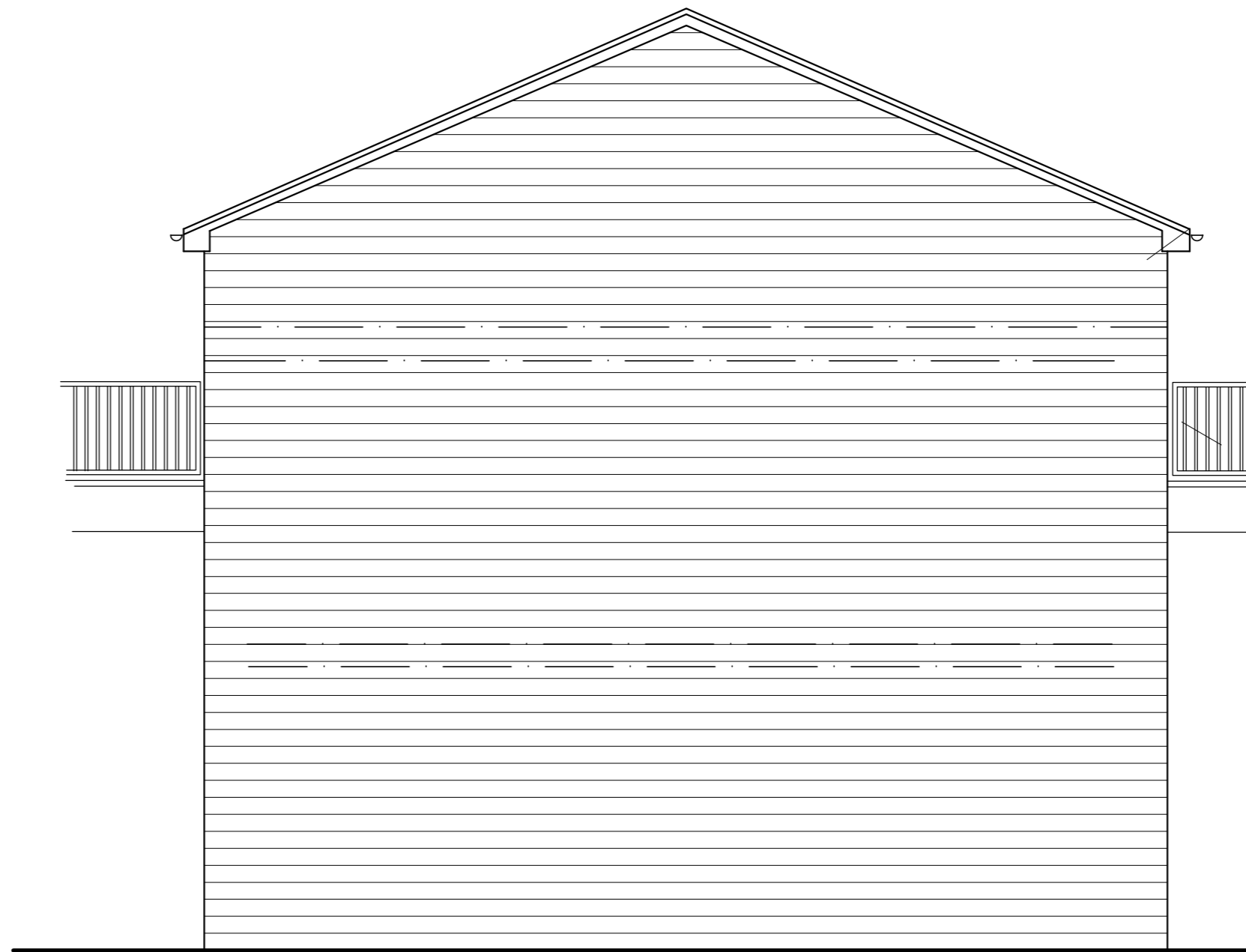
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16018/2

Scale  
1:50

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**Mob 07599 008 791**



Courtyard Elevation



Elevation facing adjacent



Rear Elevation

Wheatholme Street Elevation

Title  
Existing Elevations

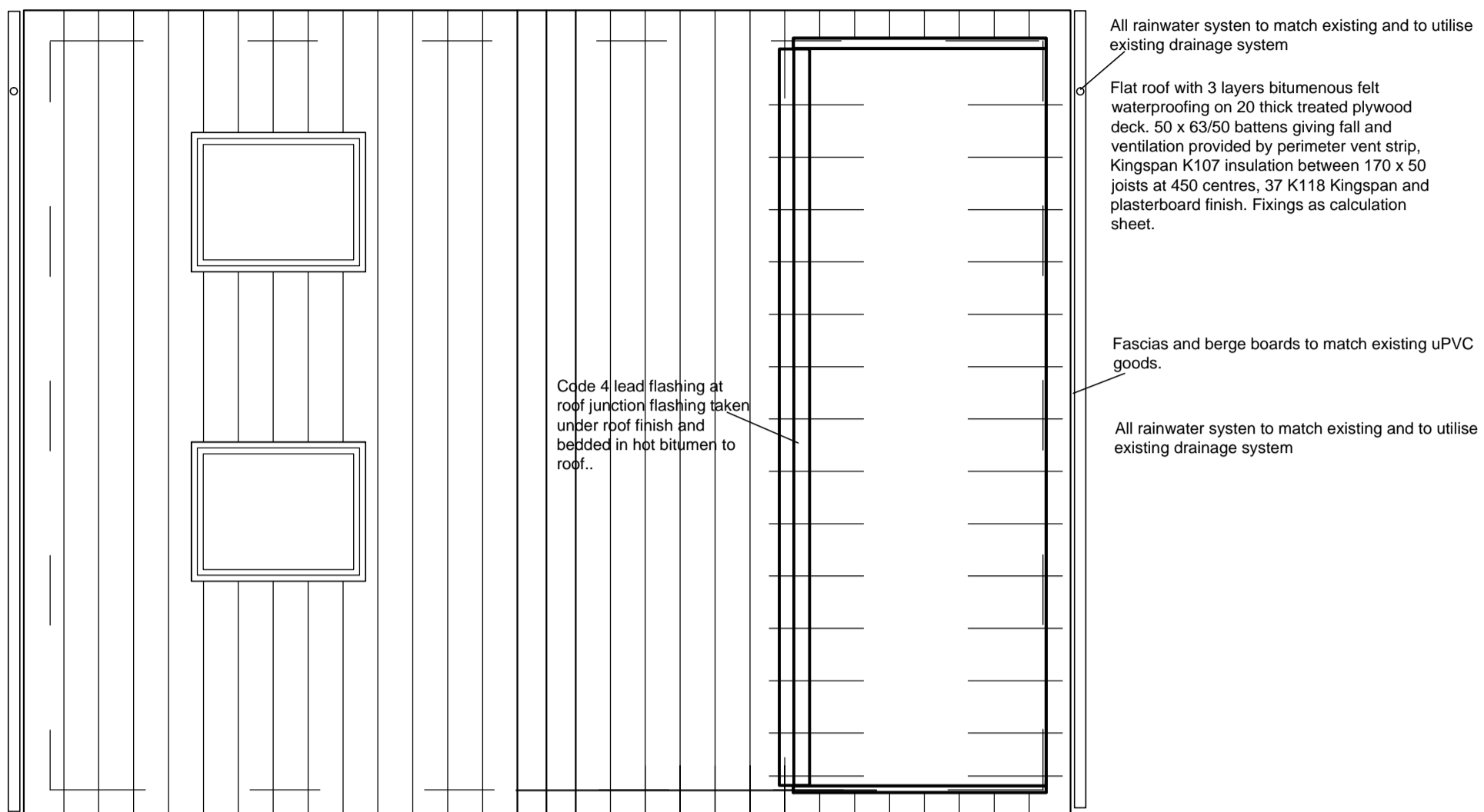
Job  
Kashmir House, Greenbank  
Gardens, Rawtenstall

Client

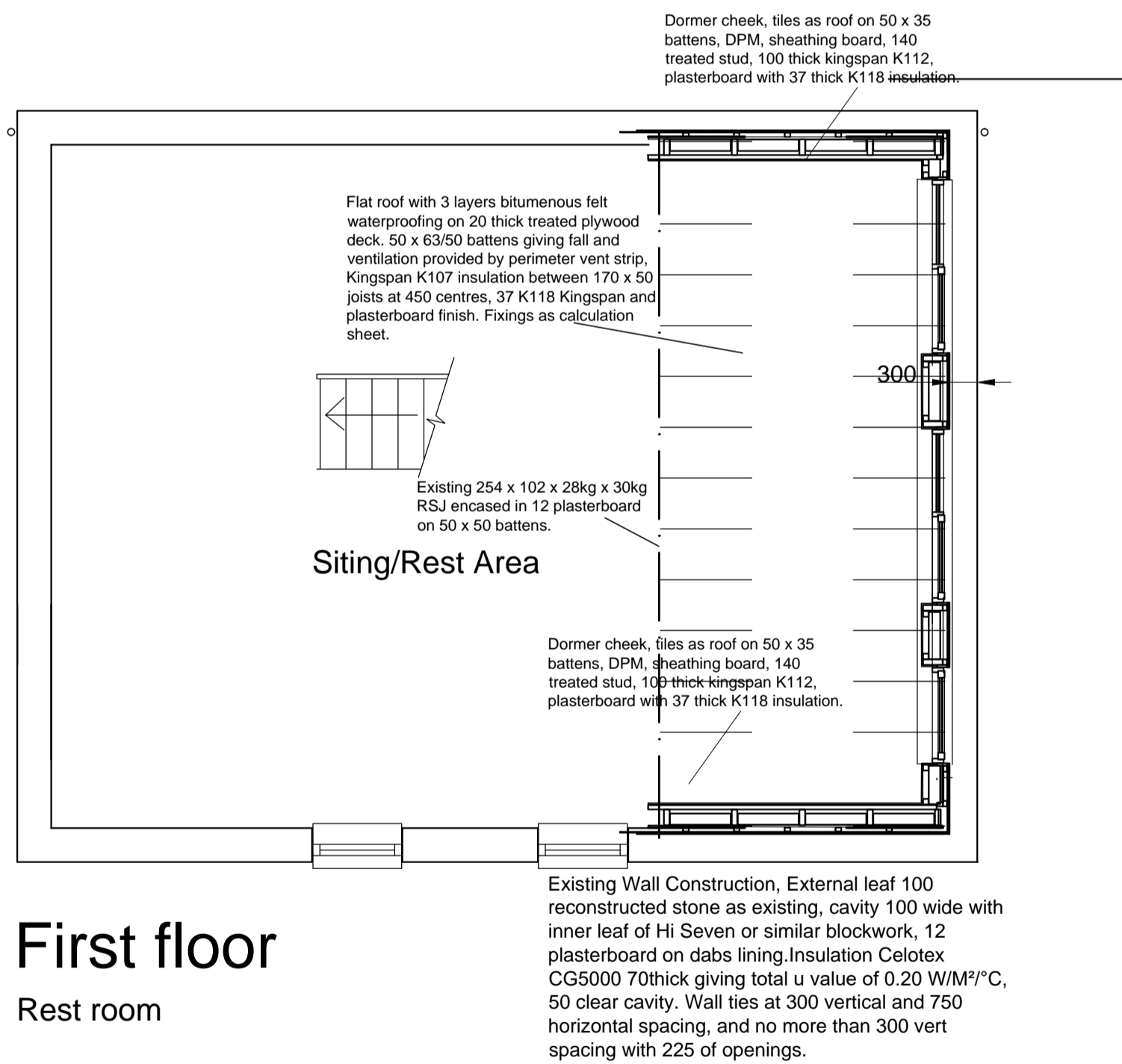
Dwg No  
16018/3

Scale  
1:50

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## Roof Plan



## First floor

Rest room

Title  
Proposed Plans 1st and Roof level  
Job  
Kashmir House, Greenbank Gardens, Rawtenstall  
Client

Dwg No 16018/5 Scale 1:50

**DJ Hancock Design**  
**22 Croft Street**  
**Bacup**  
**Tel 01706 563502**  
**Mob 07599 008 791**

Wall Construction, External leaf 100 reconstructed stone as existing, cavity 100 wide with inner leaf of Hi Seven or similar blockwork, 12 plasterboard on dabs lining. Insulation Celotex CG5000 70thick giving total u value of 0.20 W/M<sup>2</sup>/°C, 50 clear cavity. Wall ties at 300 vertical and 750 horizontal spacing, and no more than 300 vert spacing with 225 of openings.

Natural slate roof cut back. Roof joists at 450 centres trimmed to form opening. Existing steel beam 254 x 102 to form top of dormer. Ventilated eaves and plasterboard to ceiling following line of roof pitch.

Code 4 lead flashing at roof junction flashing taken under roof finish and bedded in hot bitumen to roof..

Flat roof with 3 layers bitumenous felt waterproofing on 20 thick treated plywood deck. 50 x 63/50 battens giving fall and ventilation provided by perimeter vent strip, Kingspan K107 insulation between 170 x 50 joists at 450 centres, 37 K118 Kingspan and plasterboard finish. Fixings as calculation sheet.

300  
Dormer cheeks tiled as roof, DPM, sheathing board, 140 treated stud, 100 kingspan K112, plasterboard with 37 thick K118 insulation.

Code 4 lead flashing below window and cavity closer inserted at cill and reveals.

1400 x 1140 Velux roof windows fully openable. Brown uPVC

Fascias and berge boards to match existing uPVC goods.

Existing handrail to Greenbank Gardens

Existing handrail to Greenbank Gardens

Wall Construction, External leaf 100 reconstructed stone as existing, cavity 100 wide with inner leaf of Hi Seven or similar blockwork, 12 plasterboard on dabs lining. Insulation Celotex CG5000 70thick giving total u value of 0.20 W/M<sup>2</sup>/°C, 50 clear cavity. Wall ties at 300 vertical and 750 horizontal spacing, and no more than 300 vert spacing with 225 of openings.

Courtyard Elevation

Elevation facing adjacent property

Natural slate roof cut back. Roof joists at 450 centres trimmed to form opening. Existing steel beam 254 x 102 to form top of dormer. Ventilated eaves and plasterboard to ceiling following line of roof pitch.

New dormer windows matched in style to existing windows below.

New dormer faced in slate to match roof

Fascias and berge boards to match existing uPVC goods.

Wall Construction, External leaf 100 reconstructed stone as existing, cavity 100 wide with inner leaf of Hi Seven or similar blockwork, 12 plasterboard on dabs lining. Insulation Celotex CG5000 70thick giving total u value of 0.20 W/M<sup>2</sup>/°C, 50 clear cavity. Wall ties at 300 vertical and 750 horizontal spacing, and no more than 300 vert spacing with 225 of openings.

Existing Brown uPVC rooflights

Fascias and berge boards to match existing uPVC goods.

Existing Brown uPVC windows

Rear Elevation

Wheatholme Street Elevation

Title  
Proposed Elevations

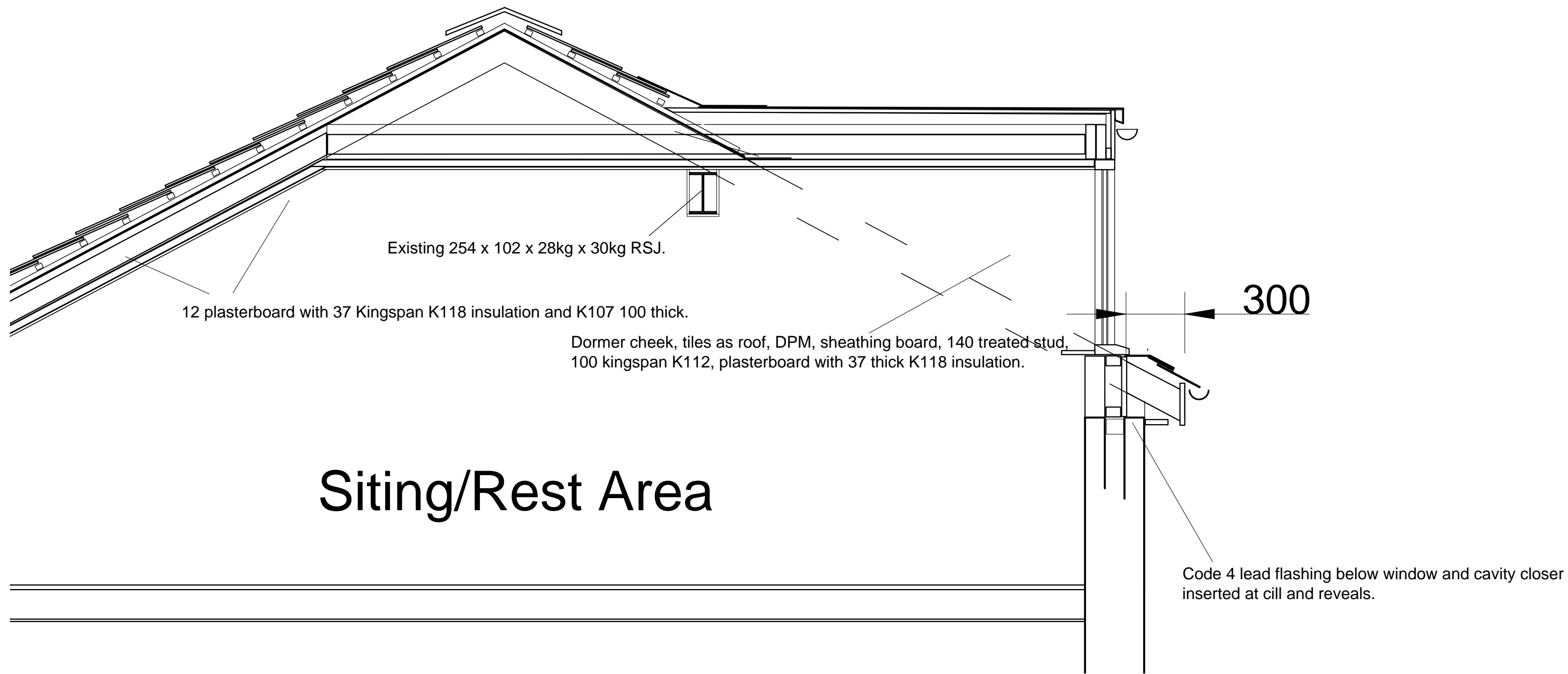
Job  
Kashmir House, Greenbank Gardens, Rawtenstall

Client

Dwg No  
16018/7

Scale  
1:50

DJ Hancock Design  
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Bacup  
Tel 01706 563502  
Mob 07599 008 791



**Title**  
Dormer Section

**Job**  
Kashmir House, Greenbank  
Gardens, Rawtenstall

**Client**

**Dwg No**  
16018/8

**Scale**  
1:20

**DJ Hancock Design**  
**22 Croft Street**  
**Bacup**  
**Tel 01706 563502**  
**Mob 07599 008 791**



