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|----------------------------|---|--------------------------|---|
| Application Number: | 2024/0407 | Application Type: | Householder |
| Proposal: | Householder: Replacement of existing windows and doors with new thermally efficient units. Addition of photovoltaic array to the rear roof. | Location: | 39 Kay Street Rawtenstall Rossendale BB4 7LS |
| Report of: | Head of Planning and Building Control | Status: | For publication |
| Report to: | Development Control Committee | Date: | 14 th January 2025 |
| Applicant: | Amaryllis Goodspeed – Rossendale Valley Energy | Expiry Date: | 17 th January 2024 (Time extension added) |

| | | | |
|-------------------------|-------------------------------------|-------------------|---------------------|
| Contact Officer: | Chris Dobson | Telephone: | 01706 238639 |
| Email: | planning@rossendalebc.gov.uk | | |

| | |
|---|--------------------------|
| REASON FOR REPORTING | |
| Outside Officer Scheme of Delegation | Yes – Council Owned Land |
| Member Call-In Name of Member: Reason for Call-In: | |
| 3 or more objections received | |
| 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

Approval subject to the conditions set out in this report.

APPLICATION DETAILS

2. SITE

No.39 Kay Street is a two-storey mid-terrace residential dwelling of stone and natural slate construction. The terrace contains a mix of commercial and residential properties and is located within the urban boundary and within the Rawtenstall Conservation Area. Access to the site is via Bacup Road to the south. The rear of the dwelling faces towards a car park accessed from Annie Street and Buller Street with this being largely enclosed by the surrounding development.

3. RELEVANT PLANNING APPLICATION HISTORY

No relevant planning history

4. PROPOSAL

The applicant proposes works to improve the energy efficiency of the dwelling. These include the replacement of all the existing windows and doors with new thermally efficient units and the addition of a photovoltaic array to the rear roof slope of the dwelling. The works do not include the addition of any new window or door openings with the existing fenestration being utilised.

POLICY CONTEXT

National Planning Policy Framework

Section 2 Achieving Sustainable Development
Section 12 Achieving Well Designed Places
Section 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change
Section 16 Conserving and Enhancing the Historic Environment

Development Plan

Local 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 ENV2: Historic Environment
Policy ENV8: Other forms of Energy Generation

Other material considerations

National Planning Practice Guidance
RBC Alterations and Extensions to Residential Properties SPD

5. CONSULTATION RESPONSES

| Consultee | Summary of Comments |
|-------------------|---|
| Growth Lancashire | See Visual Amenity/Heritage Section below for details |

6. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 27/11/2024 and neighbour letters were posted out 14/11/2024. The application was also advertised in the local press on 29.11.2024.

No comments/objection have been received.

7. ASSESSMENT

Principle

The applicant proposes development work within the curtilage of an existing residential dwelling located within the urban boundary. In addition to this Policy ENV8 contained within the Rossendale Local Plan 2019-2036 states the following:

“The Council will take a positive approach to renewable energy proposals in the Borough, such as solar and hydro-electric schemes, including community led initiatives, subject to the Authority being satisfied that any negative impacts, including of any supporting infrastructure, can be minimised.”

The development work proposed would result in the addition of photovoltaic panels to the dwelling and the Council is therefore generally supportive of the scheme. This is however subject to an assessment in relation to the impact of the development upon the character of the Rawtenstall Conservation Area. This assessment has been undertaken below.

The development is acceptable in principle.

Visual Amenity/Heritage Impact

The site is located within Rawtenstall Conservation Area.

Section 12 of the Framework refers to the importance which Government attaches to the design of the built environment:

- *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”*
- *“Planning policies and decisions should ensure that developments...will function well and add to the overall quality of the area...are sympathetic to local character and history, including the surrounding built environment and landscape setting.”*

Section 16 of the Framework states local planning authorities should take account the desirability of new development making a positive contribution to local character and distinctiveness and the desirability of sustaining and enhancing the significance of heritage assets (such as Conservation Areas, as in this case).

The National Planning Policy Framework requires that when *determining applications affecting heritage assets local planning authorities should take account of:-*

- d) the desirability of sustaining and enhancing the significance of those assets and putting them to viable uses consistent with their conservation;*
- e) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- f) the desirability of new development making a positive contribution to local character and distinctiveness.*

Policies ENV1 and ENV2 of the Local Plan seek to ensure that the built and historic environment is safeguarded and enhanced.

The application is for the replacement of the existing windows and doors and the addition of a photovoltaic array rear roof. It is noted that the existing windows and doors are a mix of timber and uPVC however those in place to the front principle elevation appear to be timber.

The Council's heritage consultants have been asked to provide comments in relation to the impact of the proposed development upon the character of the Rawtenstall Conservation Area. In relation to the addition of the photovoltaic panels, the comments received stated the following:

“In regard to the proposed PV panels, which will be situated on the rear roof slope. Usually, rear elevations are a secondary elevation of lesser significance; however, in this case, the rear elevation of no.39 Kay Street faces onto Buller Street and a carpark, which means the rear elevations are easily viewed from the public vantage points. Nonetheless, the rear elevations of Bacup Road, Kay Street and Annie Street all back onto the carpark making the area largely enclosed. Whilst the PV panels will be visible from this rear perspective, owing to the enclosed nature of this area it is my view that the elevations facing the carpark are secondary, and I do not feel that the installation of the PV panels will cause more than a limited/negligible level of harm to the character and appearance of the conservation area.”

It is therefore considered that this element of the scheme will 'preserve' the character and appearance of the conservation area.

In relation to the replacement of the windows and doors, the comments from the heritage officer stated the following:

“It is also not known whether the existing windows are single or double glazed, however, this is a minor point, and they are not original to the property and are more recent additions. As such, in this case, the installation of double-glazed windows will likely be acceptable. However, it would be preferable for the windows to have slim line double glazing in order to limit the negative appearance of the double glazing on the conservation area. As noted above, it is not known whether the existing windows are single or double glazed, I would

recommend this is clarified.”

“It would be most appropriate for a timber door to be installed; nevertheless, the existing front door is evidently ‘timber effect’ uPVC. Therefore, I do not object to a ‘timber imitation’ composite door in a matching colour as this will not result in any additional harm to the CA. However, the proposed design of the door should be submitted in order for it to be fully assessed.”

The applicant’s agent has confirmed that the windows will be timber framed and the door will be timber effect uPVC to replicate the existing material in place. The proposed materials are considered acceptable however, no details have been submitted to show the specification of the windows proposed to be installed. It is therefore considered that a condition is required to be included within the relevant section below requiring the submission of these details prior to commencement of development.

Overall, subject to the addition of the pre-commencement condition as detailed, it is considered the development would not detract from the character or appearance of the host dwelling and would ‘preserve’ the character and appearance of the Rawtenstall Conservation Area. The development is therefore considered to comply with both national and local policies.

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.

The proposed development will not impact upon the amenity of any of the surrounding residents. No additional window openings are proposed therefore no changes to the existing arrangements will result from the development.

No comments/objections have been received during the consultation phase of the application.

The development work is acceptable in relation to neighbour amenity.

Access, Parking and Highway Safety

The development works have no impact upon the access or parking arrangements at the site and are therefore acceptable in relation to these matters.

8. CONCLUSION

It is considered that the proposal is in accordance with the Rossendale Local Plan and the NPPF.

9. 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following:

| Title | Drawing No. | Received Date |
|------------------------------|---------------------------------|---------------|
| Location Plan | 39KAST-BUT-XX-ZZ-DR-A-99200 P01 | 11.10.2024 |
| Proposed Photovoltaic Layout | 4483-39K-R-E301 P1 | 13.11.2024 |
| Proposed GA Elevation | 39KAST-BUT-XX-XX-DR-A-99240 P02 | 24.10.2024 |

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

3. Prior to commencement of development, details to show the specification of the replacement windows to be installed including dimensions of frames, design and materials (notwithstanding any details shown on previously submitted plans or specifications) shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be implemented in accordance with the approved details.

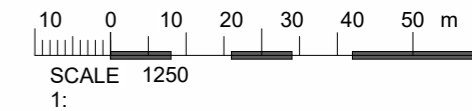
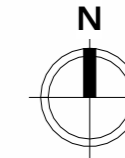
Reason: To ensure that the materials used are visually appropriate to the Rawtenstall Conservation Area

10. INFORMATIVES

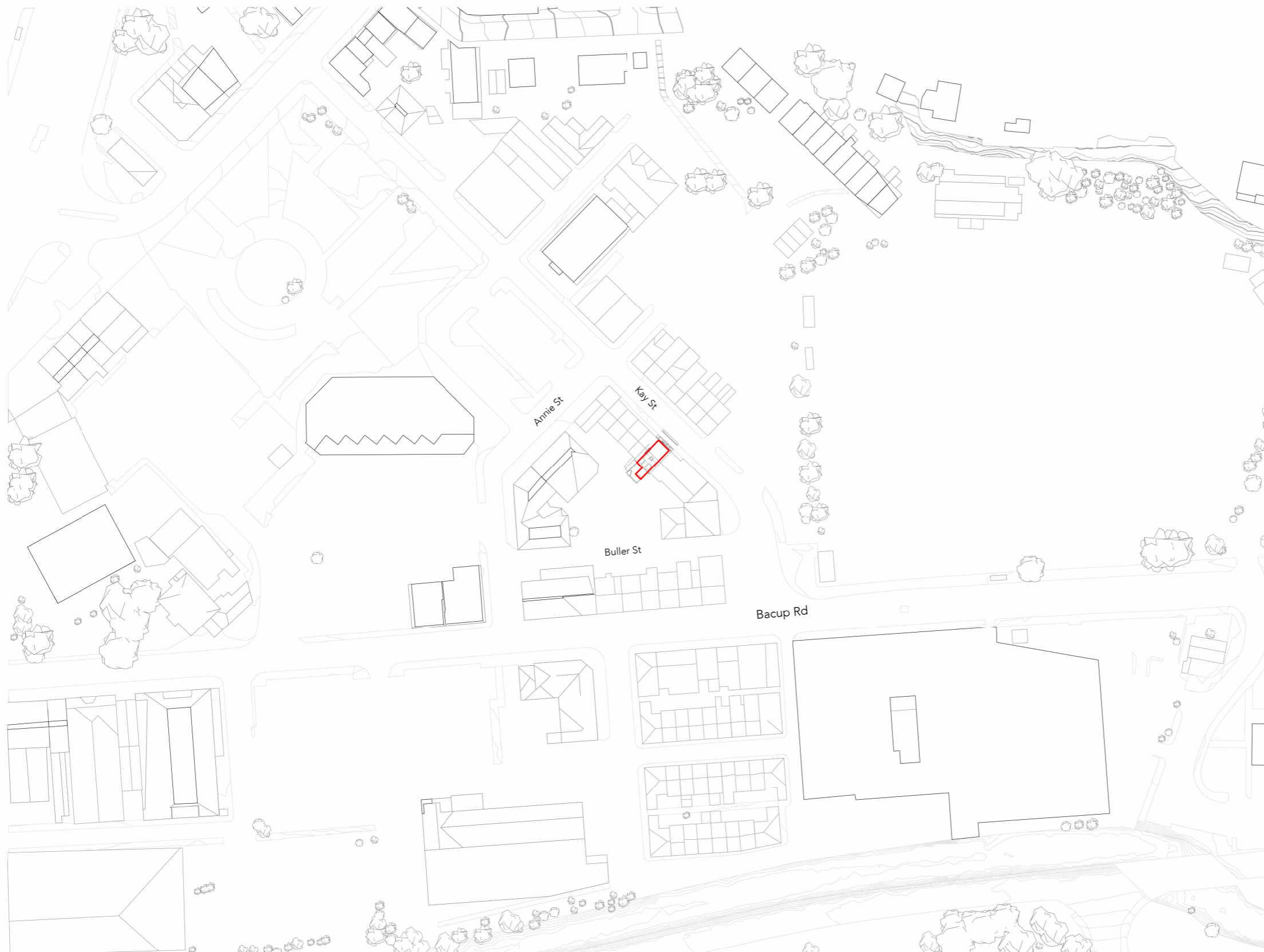
1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning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



Note:
Do not scale from this drawing.
Dimensions are to be checked on site.
If in doubt please ask.



Planning Application Site Boundary



P01 01.10.24 JT Planning Issue

Rev Date Intls Details

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Project Title NZTS - Demonstrator Project - 39 Kay Street

Client Rossendale Valley Energy

Location 39 Kay Street, Bacup, OL13 0EU

Drawing ref Location Plan

Date 01/10/2024 15:58:12 **Scale** As indicated

Checker AH **Size** A3

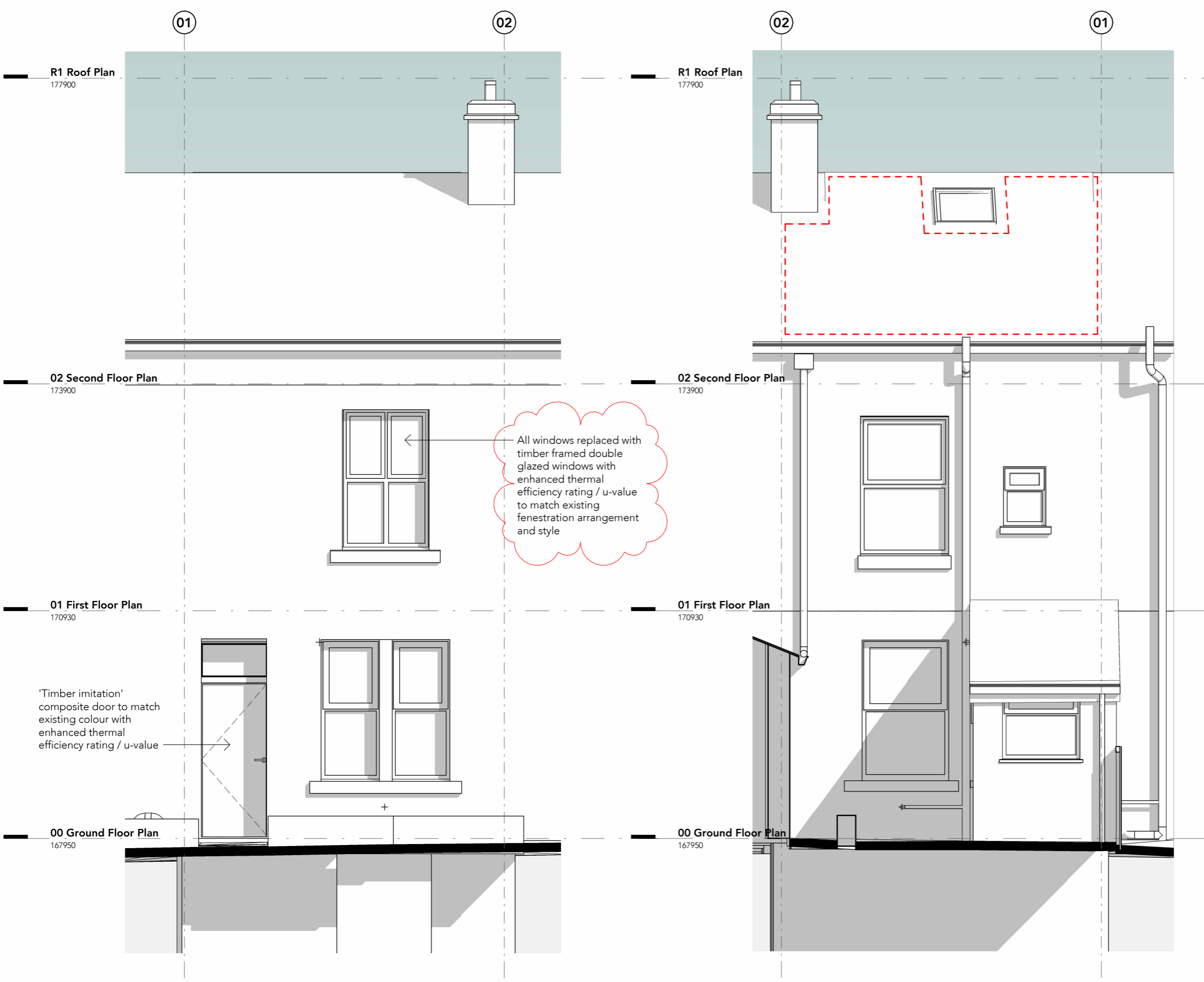
Job No: 9918 **Status** S0 Initial Status

| Project | Origin | Volume | Level | Type | Role | Number | Rev |
|--|--------|--------|-------|------|------|--------|-----|
| 39KAST-BUT-XX-ZZ-DR-A-99200-P01 | | | | | | | |

39KAST-BUT-XX-ZZ-DR-A-99200-P01



Note:
Do not scale from this drawing.
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If in doubt please ask.



--- Zone of photovoltaic panels

| Rev | Date | Intls | Details |
|-----|----------|-------|-----------------------------------|
| P02 | 23.10.24 | JT | UPVC windows replaced with timber |
| P01 | 01.10.24 | JT | Planning Issue |

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Project Title NZTS - Demonstrator Project - 39 Kay Street
Client Rossendale Valley Energy
Location 39 Kay Street, Bacup, OL13 0EU

Drawing ref Proposed GA Elevations

Date 23/10/2024 13:26:55 **Scale** 1 : 50
Checker AH **Size** A3
Job No: 9918 **Status** S0 Initial Status

| Project | Origin | Volume | Level | Type | Role | Number | Rev |
|--|--------|--------|-------|------|------|--------|-----|
| 39KAST-BUT-XX-XX-DR-A-99240-P02 | | | | | | | |

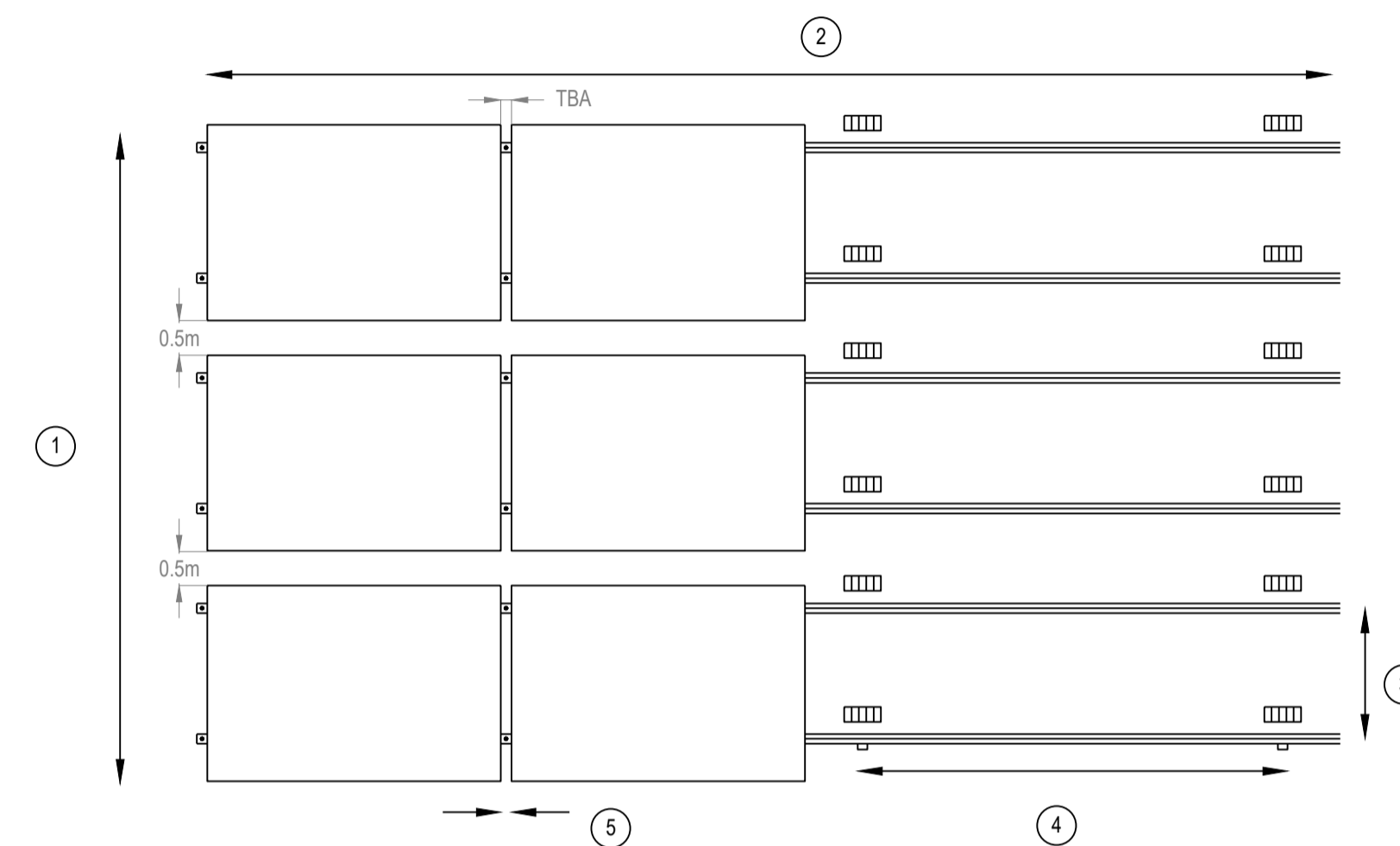
Proposed Front Elevation

Proposed Rear Elevation

NOTES

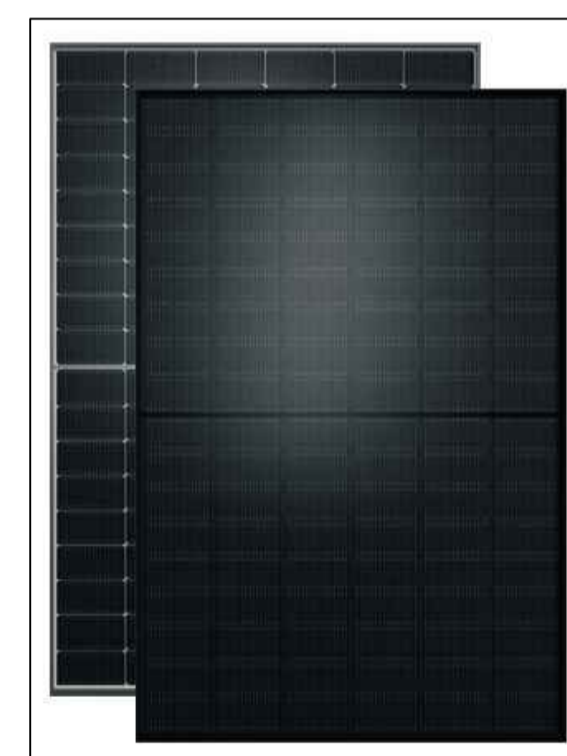
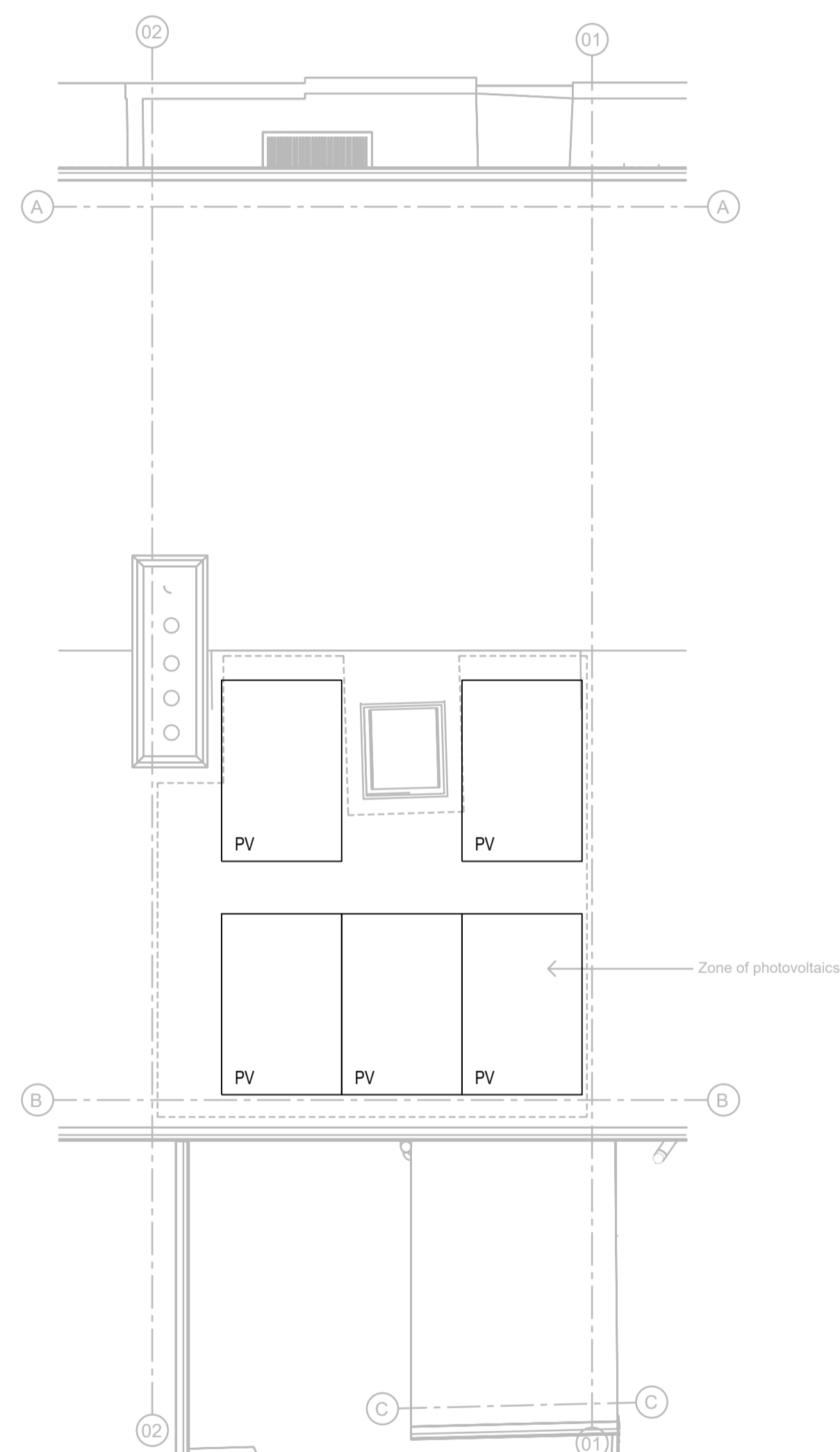
1. ALL SERVICE ROUTES DETAILED ARE APPROXIMATE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT ROUTES AND POSITIONS OF ALL INSTALLED SERVICES AND EQUIPMENT.
2. THE EXACT POSITION OF ALL SERVICES AND EQUIPMENT SHALL BE AGREED BY THE CONTRACT ADMINISTRATOR.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FULLY CO-ORDINATING ANY SERVICES INSTALLED WITH THE BUILDING FABRIC AND SERVICES INSTALLED BY OTHERS.
4. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL MECHANICAL, ELECTRICAL, ARCHITECTURAL AND STRUCTURAL DRAWINGS, CONTRACT DOCUMENTATION AND SPECIFICATION FOR THE WORKS.
5. THIS DRAWING FORMS PART OF THE SPECIFICATION FOR THE WORKS.
6. ALL DIMENSIONS SHOWN ARE IN MILLIMETRES.
7. DO NOT SCALE FROM THIS DRAWING.
8. EXISTING SERVICES SHOWN FAINT.

- 1 - BASE RAIL 2 - JOINER PIECE 3 - INTER-MODULE CLAMP
 4 - ROOF HOOK 5 - MODULE END-CLAMP 6 - TELESOPING END PIECE (OPTIONAL)



THE DISTANCE BETWEEN ROOF CONNECTIONS FOR A PORTRAIT INSTALLATION TO BE SPECIFIED BY THE SPV INSTALLER. CLAMP-ON ROOF HOOKS, ROOF HOOKS AND HANGER BOLTS NEED TO BE INSTALLED IN SPECIFIC DISTANCES, DEPENDING ON THE DISTANCE OF RAFTERS AND THE STRUCTURAL CONDITIONS OF THE WALL.

TYPICAL SPV RAIL SYSTEM SUPPORT SYSTEM
 SCALE: NTS



TYPICAL PV PANEL
 SCALE: NTS

| P1 | 11-11-24 | ISSUED FOR INFORMATION |
|--|---------------|------------------------|
| REV | DATE | REVISION DESCRIPTION |
| CLIENT BUTRESS | | |
| PROJECT NET ZERO TERRACE STREET DEMONSTRATOR PROJECT | | |
| TITLE ELECTRICAL SERVICES - 39 KAY ST. PROPOSED PHOTOVOLTAIC LAYOUT ROOF LEVEL | | |
| | | |
| ■ Burnham House, 373 Bury New Road, Manchester, M25 1AW. T: 0161 773 1177 F: 0161 773 9977 manchester@parker-wilson.co.uk □ 6th Floor, 72, Cannon Street, London EC4N 6AE. T: 0207 251 4500 london@parker-wilson.co.uk www.parker-wilson.co.uk | | |
| DRAWN BY BP | CHECKED PG | APPROVED BY PG |
| SCALE 1:50 | SIZE A1 | DATE NOV 2024 |
| DRAWING No 4483-39K-R-E301 | REV P1 | |

PRELIMINARY



Lucard 8
RAWTENSTALL
Can you escape?

LLB STUDIOS

CAT'S CRADLE

TATTOO STUDIO

GN54 CKK

YG10 BXP

