

**TITLE: 2005/90 & 2005/91LBC
ERECTION OF 1-STOREY SIDE EXTENSION, ENCLOSURE OF
EXTERNAL STAIRS TO REAR, FORMATION OF PAVED TERRACE &
BOUNDARY WALL TO FRONT
LOWER CHAPEL HILL FARM, HURST LANE, RAWTENSTALL**

TO/ON: DEVELOPMENT CONTROL COMMITTEE - 11 OCTOBER 2005

BY: TEAM MANAGER DEVELOPMENT CONTROL

APPLICANT : MR & MRS C KIRKMAN

DETERMINATION EXPIRY DATE : 7 APRIL 2005

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.

Site

Lower Chapel Hill Farm comprises of an 18th century farmhouse of 2-storey stone construction, with a modern 1-storey extension/garage on its north side. Its principal area of garden lies on its south side, screened on its three sides by a high-hedge.

The property lies within the Countryside Area to the north-east of the settlement of Rawtenstall, and has been included by Central Government on the List of Buildings of Special Architectural or Historic Interest at Grade II.

Proposal

Planning permission and listed building consent were originally sought for the following :

1. Erection of a first-floor extension over the 1-storey flat-roofed projection presently to be seen on the southern gable.
2. Erection of a 1-storey extension to the south side and associated patio-extension.
3. Enclosure of an external flight of stone stairs rising-up the rear elevation and taking the space beneath them into the living accommodation.

4. Replacement of the 1m high hedge to the front of the house and the 3+m high hedge to the front of the side-garden with a 1m high stone wall.

Having expressed my concerns about the proposal to the applicants they have amended the scheme in the following ways :

1. The deletion of the first-floor extension.
2. The deletion of the rooflights and amendment of windows in the 1-storey extension, and clarification of the design/materials to be used to extend the patio and define its perimeter.
3. Reduction in the length of the roof to sweep down over the external staircase and deletion of the windows of most concern.
4. Replacing the 1m high hedge to the front of the house with a 1m high stone wall, but leaving the 3+m high hedge fronting the side-garden intact.

Consultation Responses

LCC(Archaeology) recommends that before any works are undertaken the existing building be properly recorded.

Notification Responses

With respect to the originally submitted proposal : 3 letters have been received expressing support; 1 letter which expresses neither support or objection; and 4 letters/emails expressing objection. Two of the objections are from/on behalf of the occupier of Swallow Barn, the dwelling situated immediately to the east of the application site, the other two objections being from addresses much further afield.

The following reasons for objection are advanced :

1. Lower Chapel Hill Farm is one of a number of Listed Buildings in the area of similar age and character.
2. There is an obligation to conserve its essential character - that of a traditional farmhouse of simple/solid construction, with small windows, etc.
3. The proposed development is 'suburbanising', and the works to the southern elevation in particular will appear prominent and alien - the proposed first-floor extension is not reflective of the simple/solid form of the original building and the size of the windows in the 1-storey side extension are too large.
4. The proposed 1-storey extension will take-up a considerable amount of the applicants garden and, with a projection of approx 6m, it and the staircase-enclosure are so close to the party boundary with Swallow Barn they will have an overbearing/enclosing affect and seriously affect outlook from its lounge window and garden.

Development Plan Policies

Rossendale District Local Plan (Adopted 1995)

DS5 - Development Outside the Urban Boundary & Green Belt

HP2 - Listed Buildings

DC1 - Development Control

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1 - General Policy

Policy 5 - Development Outside of Principal Urban Areas, Etc

Policy 21 - Lancashire's Natural & Man-Made Heritage

Other Material Planning Considerations

PPS1 - Sustainable Development

PPS7 - Rural Areas

Planning Issues

The main issues to consider are : 1) Principle; 2) Heritage Interest/Rural Character; & 3) Neighbour Amenity.

PRINCIPLE

As amended, the proposed extensions are not of such scale as to be inappropriate within this Countryside Area.

HERITAGE INTEREST / RURAL CHARACTER

As Lower Chapel Hill Farm is a Listed Building it is necessary to consider whether the proposed development will serve to preserve and enhance it and, if not, whether there are other considerations of sufficient weight to tip the balance in favour of permission/consent being granted in the face of any detriment to the heritage interest. It is also appropriate to consider whether the proposal will unacceptably erode the essentially rural character of the area.

The scheme will not serve to preserve and enhance the heritage interest of the building. However, as amended, I am satisfied that the proposal will not result in significant detriment to its heritage interest by reason of the loss of original building fabric or, by reason of the extensions/alterations now proposed, to it or its setting. In particular :

- The 1-storey extension now proposed will measure 5m x 6.1m x 4.2m in height, and have a slated roof and stone walls matching the existing building. Its scale is such that it will appear a subordinate addition and will be suitably screened from the highway/the neighbouring countryside by the high-hedge bounding the side-garden now to be retained. As it is intended to function as a 'garden-room' it is to possess a significant amount of glazing. However, with a design/materials that will make it appear like a traditional open-sided shed has been converted, it will not look out of place, subject to use of the appropriate door/window frames. A condition is recommended to ensure this is the case. The extension of the adjacent patio will, likewise, have very little affect on the setting of the building.
- Enclosure of the flight of stairs in the manner now proposed, and using matching facing-materials, will not appear unduly prominent or incongruous.
- The low stone-wall to be built to the front of the house will match that now to be seen to the north side of the drive and, in this location, will not serve to detract from the setting of the listed building or erode the essentially rural character of the area.

NEIGHBOUR AMENITY

The proposal will not impinge upon the occupiers of any neighbouring property other than Swallow Barn, the dwelling situated immediately to the east. The proposed staircase enclosure and 1-storey extension will not cause significant loss of light/outlook from the windows of the neighbouring dwelling, being located 8+m from these works and at an angle to them. Nor will they appear overbearing from within this neighbours garden by reason of the 3+m high boundary planting and a mature tree on the party boundary.

Summary of Reasons for Approval

As amended, and subject to the conditions below, the proposed development will not detract to an unacceptable extent from the heritage interest of this Listed Building, its setting or the essentially rural character of the area or amenities of neighbours.

Recommendation

That planning permission be granted subject to the following conditions :

1. The development permitted shall be begun before the expiration of three years from the date of this consent.
Reason :The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the amended drawings :

Location Plan	10/2/05
Proposed Site Plan	12/9/05
Proposed Plans & Elevations	12/9/05

Reason: To define the permission and ensure a satisfactory form of development.

3. No works shall take place until the applicant, or their agent or successors in title, have secured the implementation of a programme of building recording and analysis. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. Upon completion of the programme of building recording and analysis it shall be submitted to the Local Planning Authority.
Reason : To ensure and safeguard the recording and inspection of matters of archaeological/historic importance associated with the building, in accordance with the advice of LCC(Archaeology) and Policy 21 of the adopted Joint Lancashire Structure Plan .

That listed building consent be granted subject to the following conditions :

1. The development permitted shall be begun before the expiration of three years from the date of this consent.
Reason :The condition is required by virtue of Section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the amended drawings :

Location Plan	10/2/05
Proposed Site Plan	12/9/05
Proposed Plans & Elevations	12/9/05

Reason: To define the permission and ensure a satisfactory form of development.

3. Before the development commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, cills or lintels.

Reason : In the interests of the character and appearance of the building and in accordance with Policy HP2 of the adopted Rossendale District Local Plan.

4. Before the development commences, full details of the proposed rainwater goods, including the eaves detail, to be used on the building shall have been submitted to and been approved in writing by the Local Planning Authority.

Reason : In the interests of the character and appearance of the building and in accordance with Policy HP2 of the adopted Rossendale District Local Plan.

5. Notwithstanding the details already submitted, this consent relates to the use of 'flush' fitting roof lights, only in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The details shall include the model/make, exact dimensions and the fixing detail (including a cross section) of the roof light(s) to be used.

Reason : To protect the character and appearance of the building and in accordance with Policy HP2 of the adopted Rossendale District Local Plan.

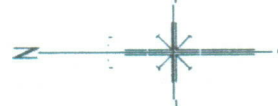
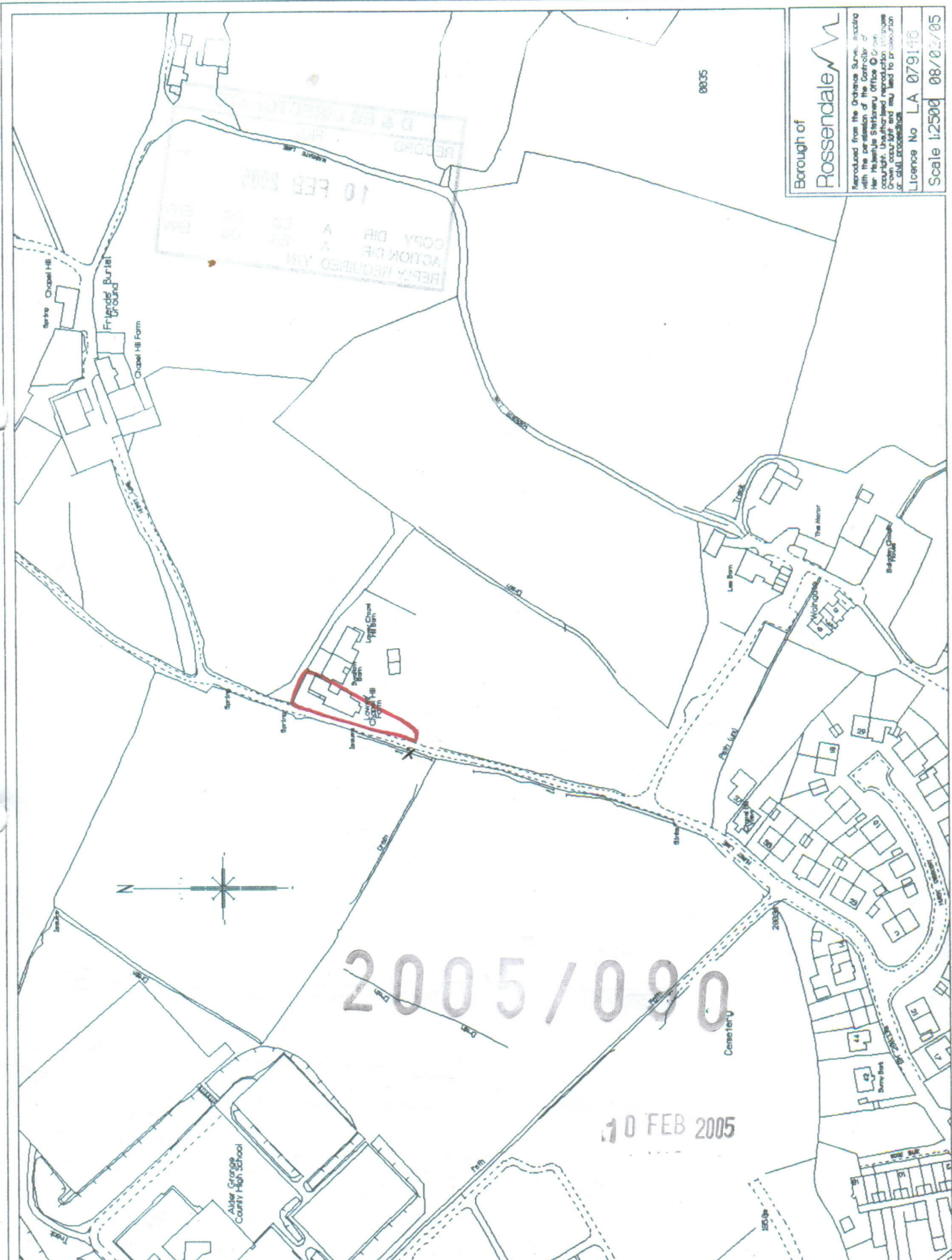
6. Before work commences, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the type of mortar to be used on the building. The required details shall include the ratio of the materials to be used in the mortar, its colour and the proposed finished profile of the pointing.

Reason : In the interests of the character and appearance of the Listed Building and in accordance with Policy HP2 of the adopted Rossendale District Local Plan.

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