

<b>Application No:</b>	2008/405	<b>Application Type:</b>	Full
<b>Proposal:</b>	Erection of house, entailing retention of existing garage and store	<b>Location:</b>	Land adj The Bungalow, Dean Road, Haslingden
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	6 October 2008
<b>Applicant:</b>	Mr A Chapman	<b>Determination Expiry Date:</b>	17 September 2008
<b>Agent:</b>	AB Design Services		

**REASON FOR REPORTING**                      **Tick Box**

**Outside Officer Scheme of Delegation**

**Member Call-In**

Name of Member:

**More than 3 objections received**                      ✓

**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.

**APPLICATION DETAILS**

**1. THE SITE**

This application relates to an irregularly shaped site situated to the rear of the terraced houses 26-32 Dean Road and with other residential properties to the north and west. Within the site is a T-shaped 1 storey building, of stone and slate construction, containing a garage and store. There is hardstanding to the front of the garage and an area of grassed land bounded by mature conifers on the east and south sides. There is a bungalow to the west. To the rear of the site is the garden curtilage of a dwelling to the north.

## 2. RELEVANT PLANNING HISTORY

1997/093      Erection of 3 bedroomed house including retention of existing garage/store.      Approved.

Whilst this permission has not been implemented in full, certain works were undertaken to ensure that this permission remains alive.

A Site Layout Plans of the extant scheme is appended.

## 3. THE PROPOSAL

The applicant now seeks permission for the erection of a 4 bedroomed house. The scheme again incorporates the existing garage and store room. The submitted scheme differs from that previously permitted most notably in that :

- a) There is to be useable space in the roof space, resulting in a ridge height of 9 metres, which is 2.6 metres higher than the previous consent.
- b) The footprint of the proposed house has been increased, resulting in it standing 3.5metres from the east boundary of the site, which is 4 metres closer to the boundary than the previously approved scheme.

The proposed materials are rendered blockwork with stone quoins. Boundary treatment would generally be 1.8 metres high timber panel fencing, but with the high conifer hedge retained between the site and 26-32 Dean Road.

## 4. POLICY CONTEXT

### National

PPS1 – Delivering Sustainable Development

PPS3 - Housing

PPG13 – Transport

### Development Plan

RPG13 (2003)

Joint Lancashire Structure Plan (2005)

Policy 1 – General Policy

Policy 2 – Main Development Locations

Policy 7 – Parking

Rossendale District Local Plan.(1995)

DS1 – Urban Boundary  
DC1 – Development Criteria  
DC4 – Materials

**Other Material Planning Policy Considerations.**

Draft RSS  
LCC – Parking Standards SPD  
RSS Core Strategy  
RBC Interim Housing Policy Statement (July 2008)

**5. CONSULTATION RESPONSES**

LCC (Highways)

No objection in principle. Boundary treatment at the access-point to be constructed/maintained at a height of less than 1metre. Drive to allow vehicles to turn around and leave in a forward gear.

**6. REPRESENTATIONS**

One site notice was posted on 14/08/2008 as shown on the site plan. 16 neighbours were notified by letter on 11/08/2008 to accord with the General Development Procedure Order. The site notice has been posted to go above and beyond the regulatory requirement to ensure a high level of Community engagement to accord with PPS1.

6 letters have been received objecting to the proposal on the following grounds:

- Size, height and design,
- Loss of privacy and light
- Inaccurate layout
- Noise and smell

**7. ASSESSMENT**

The main issues for consideration are : 1) Principle; 2) Housing Policy; 3) Visual Amenity; 4) Neighbour Amenity; & 5) Highway Safety.

Principle

The application site lies within the Urban Boundary and a Main Development Location, and is reasonably sustainable location. It is therefore considered that the proposal accords with Policy DS1 of the Local Plan and is acceptable in principle.

Housing Policy

The Council's latest Interim Housing Policy Statement that new residential development within a Main Development Location will be encouraged where the proposed development uses existing buildings/previously-developed land or is a replacement dwelling(s), makes an essential contribution to the supply of affordable housing and is being built at a density of between 30 and 50 dwellings per hectare.

It is considered that the proposal is on a previously-developed land. The proposal is not required to make a contribution to affordable housing as it is for less than 4 dwellings. To construct one dwelling within this plot is considered appropriate.

It is therefore considered that the application conforms to and is acceptable in terms of the Interim Housing Policy Statement (July 2008).

The extant permission acts as a significant fall back position for the applicant, who could chose to implement the previous consent if desired.

#### Visual Amenity

The house for which permission is now sought is considered to be of acceptable design/appearance. Although it will be somewhat greater in size than that previously permitted, it will not detract significantly from the street-scene or from the character and appearance of the area in general.

#### Neighbour Amenity

The front elevation of the proposed dwelling would cause no greater loss of privacy to dwellings in the area than the extant scheme.

There would be one bedroom window facing the one habitable room window of the neighbouring dwelling to the west. However, this neighbouring window would be shielded from any potential loss of privacy by the existing garage.

One of the objections has been received from the occupier of 6 Helmcroft, to the rear of the site, stating that there would be 12 windows facing their property. They express concern about reduced privacy and sunlight into their garden. However, there would be no increase in the number of habitable room windows in the rear elevation of the house now proposed. At ground-floor level the windows facing 6 Helmcroft would be screened by the proposed boundary fencing. At first-floor level there would be 2 habitable room windows and one bathroom window.

Taking all of the above into account, it is considered that there would be no undue loss of amenity for any neighbours.

#### Highway Safety

The Highway Authority has no objection in principle. The matters of detail it has raised can be addressed by conditions.

#### Other

In response to the points raised by objectors not already covered by the report, it is considered that there would not be an increase in noise and smell, and the layout of the scheme appears accurate. As such, there are considered to be no other material considerations to outweigh the recommendation for approval.

### **8. SUMMARY REASONS FOR APPROVAL**

The application is considered acceptable in principle and would not unduly harm visual and neighbour amenity or highway safety. As such, the application is considered to accord with PPS1 & PPS3, saved Policy 2, 7 and 12 of the adopted Joint Lancashire Structure Plan, saved Policy DS1 & the criteria of saved Policy DC1 of the adopted

## 9. RECOMMENDATION

That permission be granted, subject to the following 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 plans dated 23 July 2008 unless subsequently amended and approved in writing by the Local Planning Authority.  
*Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.*
3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.  
*Reason: To ensure that the development will be of satisfactory appearance, in accordance with the criteria of the saved Policy DC1 of the adopted Rossendale District Local Plan.*
4. Any construction works associated with the development hereby approved shall not take place except between the hours of 8:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction works shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.  
*Reason: To safeguard the amenities of neighbours, in accordance with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.*
5. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order amending or revoking and re-enacting that Order) no development shall be carried out on the site within the terms of Class(es) A to H. of Schedule 2 of the Order, or part 2 Class A, without the prior consent of the Local Planning Authority.  
*Reason: In the interests of residential amenity and to accord with the criteria of saved Policy DC1 of the Adopted Rossendale District Local Plan.*
6. Prior to first occupation of the dwelling hereby permitted a hard-surfaced area shall be provided to enable not less than two cars to park and turn within the site and that area shall thereafter be kept freely available for use as such. *Reason : In the interests of highway safety, in*

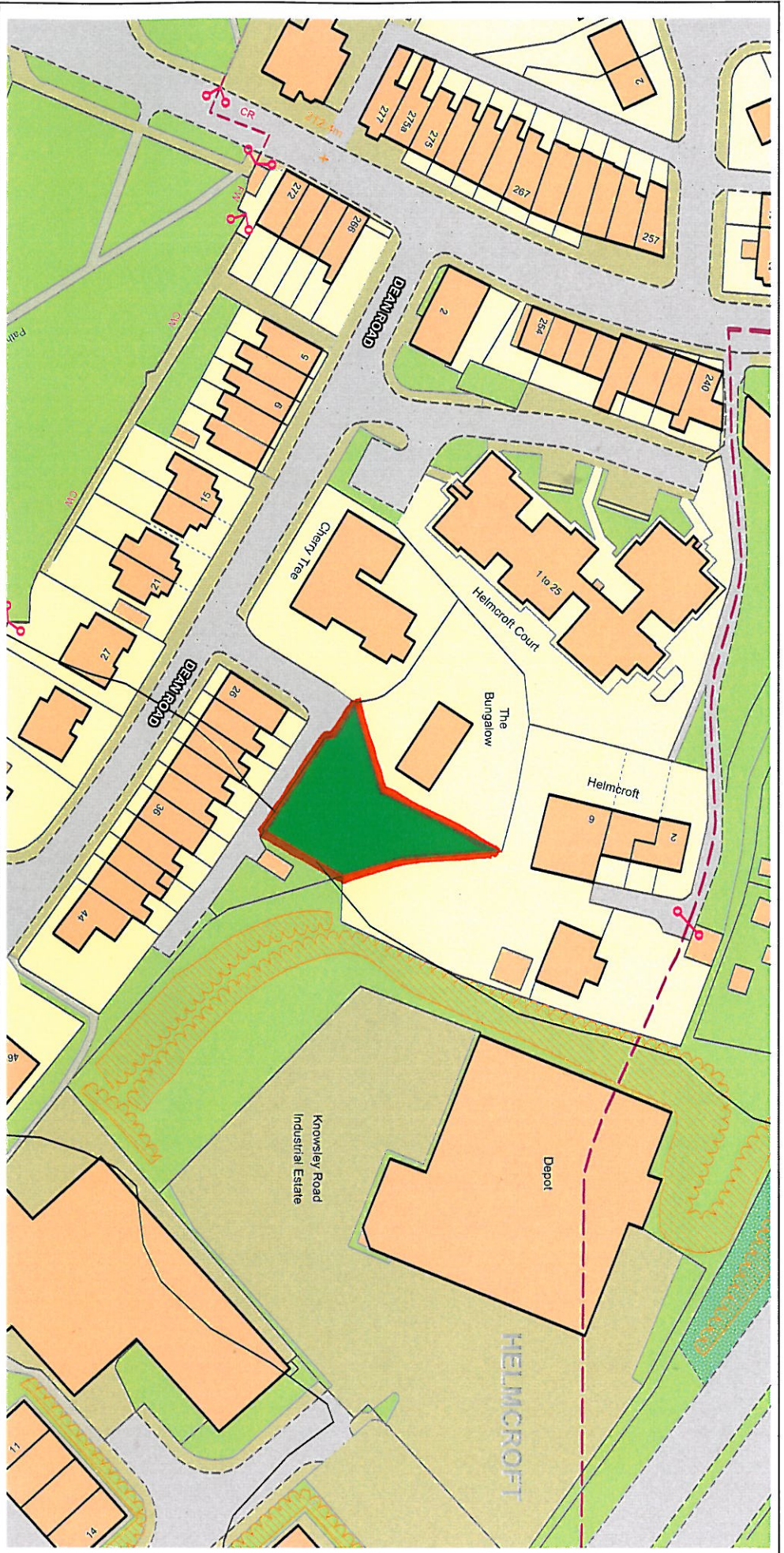
*accordance with the criteria of saved Policy DC1 of the Adopted Rossendale District Local Plan.*

7. No development shall take place until a scheme of landscaping/boundary treatment has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate ; the existing planting to be retained; the types and numbers of trees and shrubs to be planted, their distribution on site; those areas to be seeded, paved or hard landscaped, together with details of walls/fences to be erected to bound gardens; and detail any changes of ground level or landform. *Reason: In the interests of the amenity of the area, in accordance with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.*
  
8. All hard-surfaced areas/walls/fences forming part of the approved scheme of landscaping/boundary treatment shall be completed prior to occupation of the dwelling, unless otherwise first agreed in writing with the Local Planning Authority. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following substantial completion of the building. Any trees or plants in the approved scheme of landscaping which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. *Reason: In the interests of the amenity of the area, in accordance with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.*

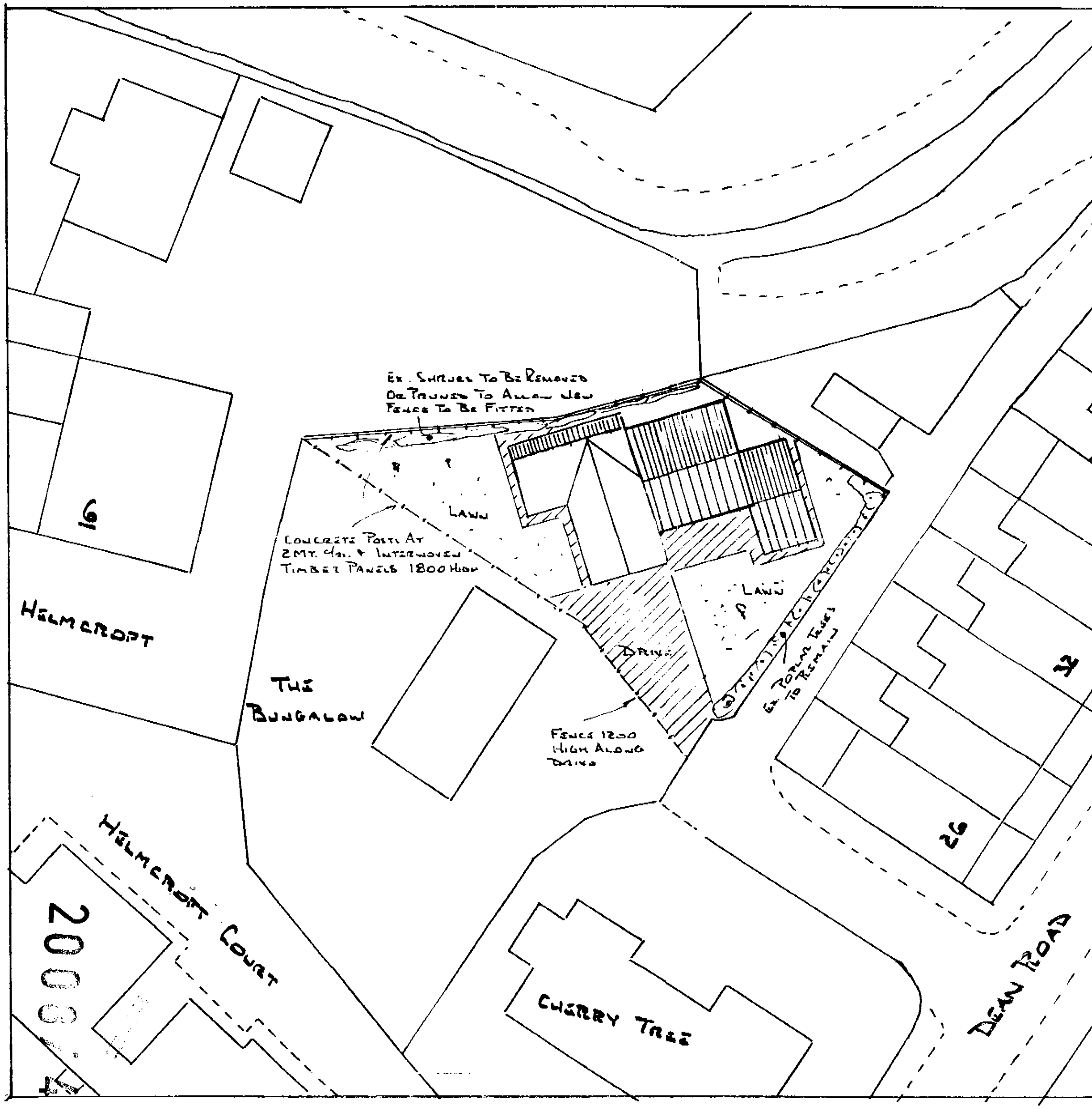
<b>Contact Officer</b>	
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# Location Plan 2008/0405



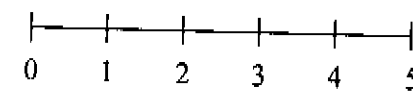
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SITE LAYOUT

SCALE 1:250

LAND ADJACENT  
THE BUNGALOW  
DEAN ROAD  
HASLINGDEN  
ROSSENDALE



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