



## **APPLICATION DETAILS**

### **1. SITE**

- 1.1 This is a retrospective application. As such the application site is formed by a detached double garage surrounded by hardstanding, on a vacant piece of land to the rear of 11 Dale Street, accessed from Industrial Street, Stubbins. The land is located between the River Irwell and an access road serving the rear of the properties in the row, and a mill to the end of the row. To the west of the hardstanding is a group of mature trees, to the east, stands an unkempt single detached garage in a poor state of repair, surrounded by mature trees. There are numerous garages in the locality, mainly located to the west of the row.

### **2. RELEVANT PLANNING HISTORY**

- 2.1 2008/009 - Retrospective consent for double garage to rear of 11 Dale Street – Withdrawn 10/04/2008

### **3. THE PROPOSAL**

- 3.1 The applicant seeks retrospective consent to retain the existing double garage. The garage measures 5.9 metres high, with a depth of 5.9 metres, reaching a height of 2.5 metres with a pitched roof. The external elevations are pebble dash to the sides, with a wooden pediment to the front and a corrugated roof.
- 3.2 The garage is located to the rear of 11 Dale Street.

### **4. POLICY CONTEXT**

#### **4.1 National Planning Guidance**

PPS1 – Delivering Sustainable Development  
PPS 25 – Flood Risk

#### **4.2 Regional Spatial Strategy Policies**

DP1 – Spatial Principles  
Policy DP 2 Promote Sustainable Communities  
Policy DP 3 Promote Sustainable Economic Development  
Policy DP 4 Make the Best Use of Existing Resources and Infrastructure  
Policy DP 5 Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility  
Policy DP 6 Marry Opportunity and Need  
Policy DP 7 Promote Environmental Quality  
Policy DP 8 Mainstreaming Rural Issues  
Policy DP 9 Reduce Emissions and Adapt to Climate Change

#### 4.3 Saved Policies of the Rossendale District Local Plan

DS1 – Urban Boundary  
DC1 – Development Criteria  
DC2 - Landscaping  
DC4 – Materials

#### 4.4 Other Material Planning Considerations

Lancashire County Council Parking Standards

### 5. **INTERNAL CONSULTATIONS**

5.1 None

### 6. **EXTERNAL CONSULTATIONS**

6.1 Environment Agency – Whilst not formally objecting to the proposal, the Agency comments that “the garage is within 8.0m of the river bank and that consent should have been obtained prior to construction of the garage, however an easement still exists for access purposes”.

6.2 Lancashire County Council Highways – No highway comments.

### 7. **REPRESENTATIONS**

7.1 Site notices were posted on 04/11/2008 as shown on the site plan. 32 neighbours were notified by letter on 31/10/2008 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.

7.2 Three letters of objection has been received which make the following summarised points:

- Visual Amenity
- Vehicle manoeuvres and parking problems
- Noise and disturbance
- Landscaping
- Loss of view

## 8. REPORT

- 8.1 The main considerations of the application are the impact of the development in close proximity to the River Irwell, and the impact of the development on visual amenity, residential amenity, and highway safety. The application is located in the Urban Boundary, where the Council seeks to locate most new development. The principle of the development within this area is accepted.
- 8.2 The garage is in a prominent position on an area of open land to the rear of Dale Street. Prior to the erection of the double garage the area of land is believed to have been vacant, casually used by local residents for the parking of motor vehicles, and walking dogs. There has not been a planning consent for the area of land to which the application relates to be used for the parking of motor vehicles or the siting of garages, and there are numerous garages and examples of extended gardens to the rear of Dale Street for which no permissions exist. However, given the existing use, it is considered therefore that the principle of garages in the area is acceptable. The size and design of the garage is not inappropriate for a double garage and its construction has not resulted in a significant loss of hard or soft landscaping to the area. The rear of the site currently benefits from recently planted shrubs, and the mature trees located either side of the garage are not affected by the scheme. Taking the previous use of the site as a vacant area of land used for the parking of motor vehicles, the location of the land within the Urban Boundary, the existence of numerous other garages in the area and the acceptable size of the garage, the scheme is considered acceptable in terms of visual amenity.
- 8.3 The garage is located on the opposite side of the road that runs along the rear of Dale Street. All properties in the row benefit from a rear yard. As such the separation distances from the garage to nearest existing dwelling habitable rear windows is approximately 11 metres. This is considered an acceptable distance that would not cause a loss of light, or outlook due to the single storey height of the garage. There are no windows in the garage, as such there is no impact on the privacy of neighbouring dwellings. It is considered that the development has not resulted in an increase in noise to the area as the site was previously used for the parking of motor vehicles. The scheme is considered acceptable in terms of residential amenity.
- 8.4 Dale Street is a row of terraced dwellings directly fronting a highway. On street parking predominates the area, resulting in a cluttered street scene dominated by motor vehicles. The use of the site to the rear of Dale Street for the parking of motor vehicles is believed to have occurred because of the need for additional parking spaces, which could not be accommodated on Dale Street. As such, the erection of the garage is considered not to be detrimental to highway safety as it does not increase on street parking associated with Dale Street. Objections have been raised with regards to the loss of off road parking for other users of the site, however, it is considered that it does not necessarily follow that due to this, highway safety is detrimentally affected. The size of the garage is adequate to accommodate two vehicles. The siting of the garage would enable cars to reverse into the garage, however, this is not essential as

the road is lightly trafficked. The scheme is considered acceptable in terms of highway safety.

- 8.5 The application was brought about as a result of a complaint received by the Council's Enforcement Department, that the applicant was trading motor vehicles from the garage. Investigations are ongoing. No substantive evidence has been found to support this claim. It is considered that it would not be appropriate to permit the selling of motor vehicles in this area. The granting of permission for the garage within this application would not give the applicant the right to carry a business use from the site and is recommended that this restriction is imposed as a condition.

## **9. CONCLUSION**

- 9.1 The siting of a detached double garage in this location is considered acceptable in terms of land use designation, visual and residential amenity terms and there are no objections from the Highway Authority. The proposal is therefore acceptable and accords with the Adopted Regional Spatial Strategy and saved policies DS1 – The Urban Boundary, DC1– Development Criteria and DC4 – Materials of the Rossendale Local District Plan.

## **10. RECOMMENDATION**

- 10.1 That the Committee be minded to grant permission subject to the following conditions.

## **11. REASONS FOR APPROVAL**

The proposal would not harm the visual amenity of the surrounding area, nor would it harm the residential amenity of the occupiers of adjoining properties and would not be detrimental to highway safety. The proposed development has been considered against saved policies DS1 – The Urban Boundary, DC1 – Development Criteria and DC4 – Materials of the Rossendale Local District Plan

## **12. CONDITIONS**

1. 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.

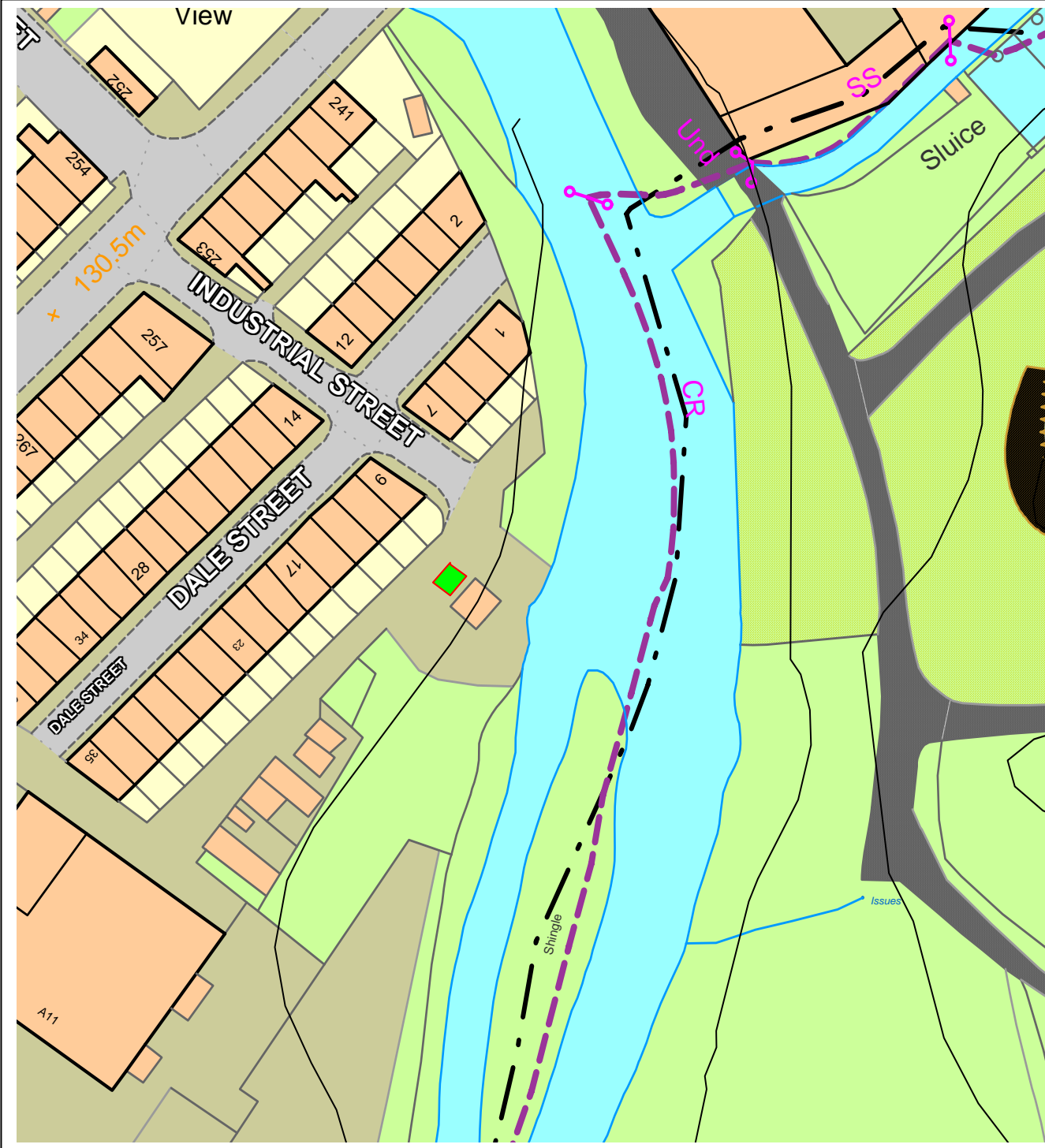
2. The garage hereby permitted shall only be used for purposes incidental to the enjoyment of a dwelling house, including the parking of cars. The garage shall not be used for any trade or business purposes.

Reason: In order to safeguard the residential amenity and character of the area and in accordance with the criteria of Saved Policies DC1 – Development Criteria and DC4 - Materials of the adopted Rossendale District Local Plan.

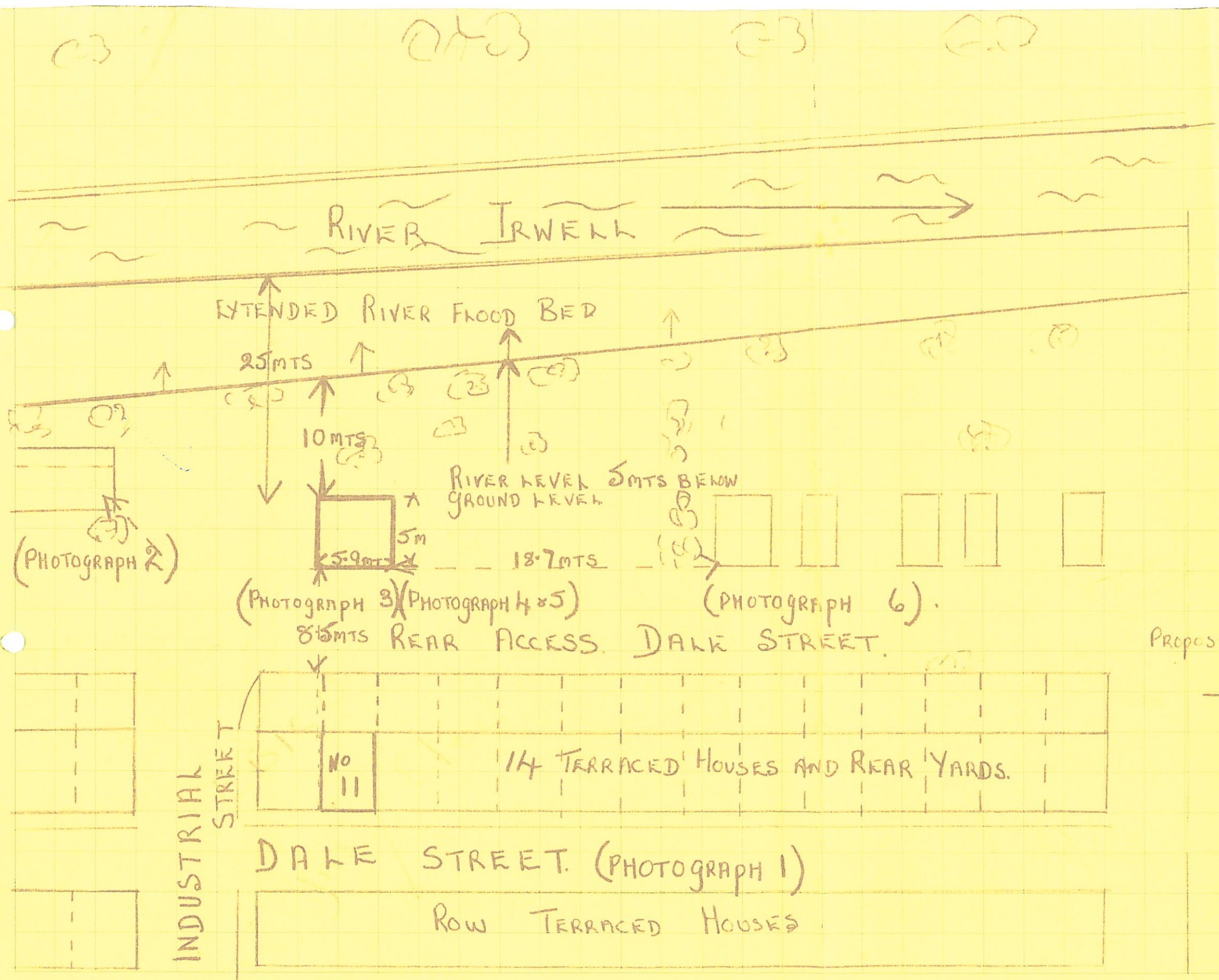
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| <b>Document Details</b>                             | <b>Appendix Number</b> |
|---|------------------------|
| Committee Report dated 1 <sup>st</sup> January 2007 | Appendix A             |
| Etc   |                        |

# Location Plan 08/0697



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Telephone No.: Home: .....

Work: .....

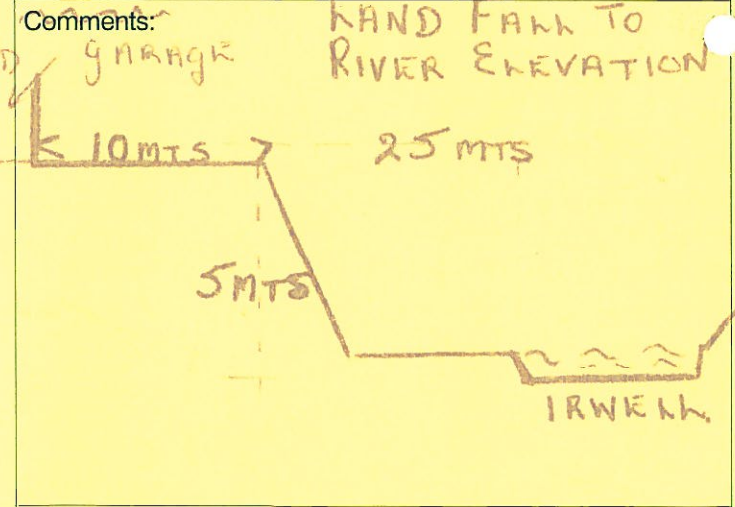
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Border:

Colour:

Existing Surface:



Approximate Start Date: 20 OCT 2008

Surveyor: 2008/697

Customer Approval: .....

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| Drainage | ACO | DECO | Edgings | KLs |  | Steps |  | KLs | Manholes |  |  |
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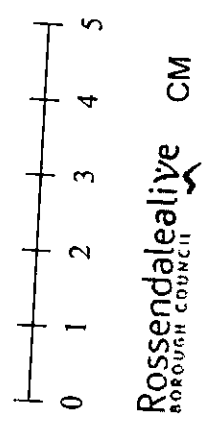


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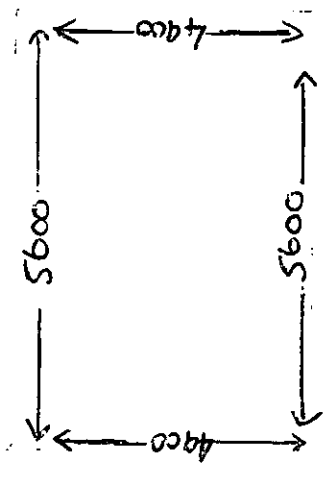
ELEVATIONS for Pre-fab  
GARAGE @  
11 DALE STREET, STUBBINS

28 OCT 2007

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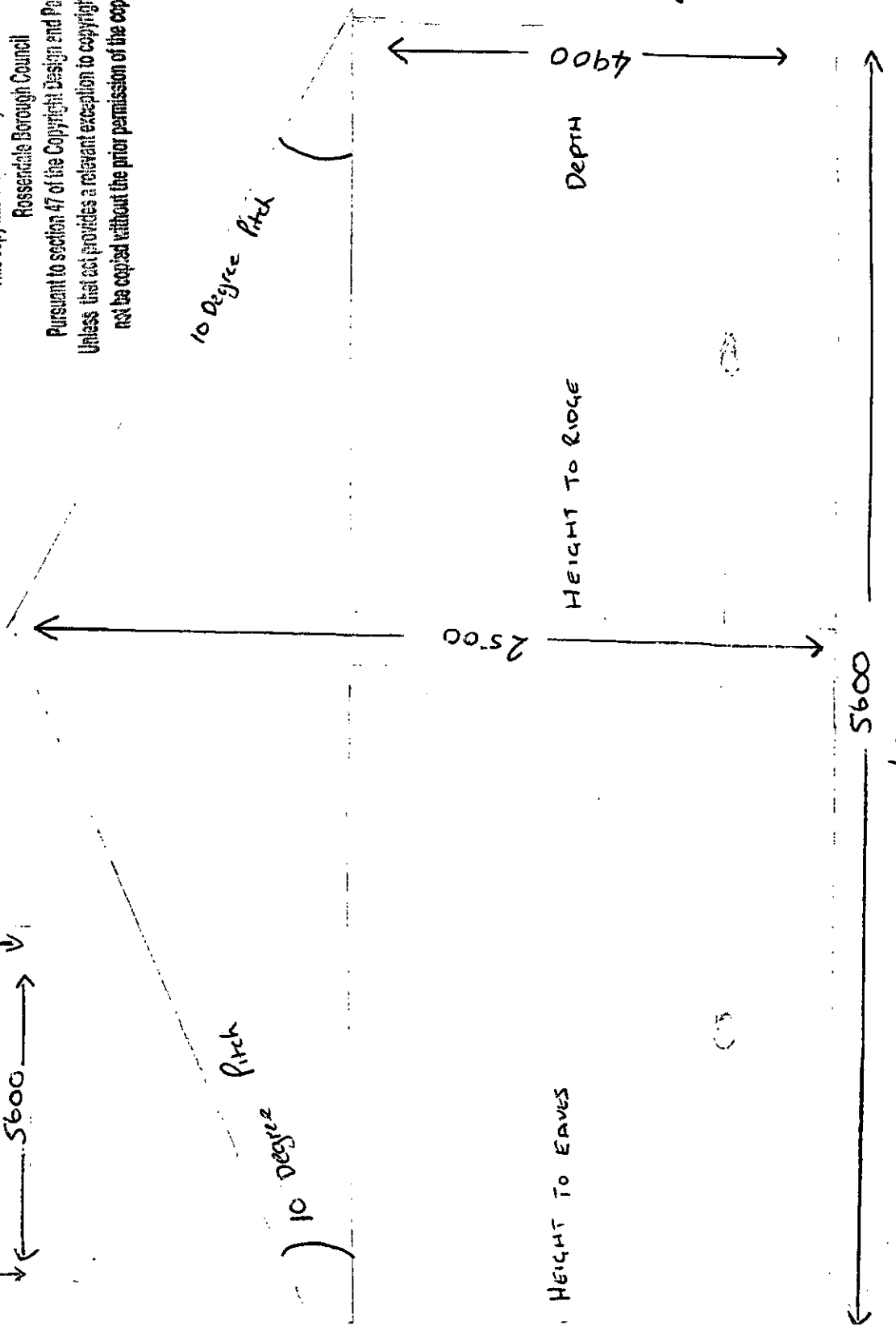
21 SEP 2007



10 Degree Pitch

DIMENSIONS :-

- HEIGHTS
  - FLOOR TO RIDGE = 2 metres 500 mm
  - FLOOR TO EAVES = 2 metres 50 mm
- LENGTH
  - 5 metres 600 mm
- DEPTH
  - 4 metres 900 mm



HEIGHT TO EAVES

