

Application No: 2008/701

Application Type: Full

Proposal: Proposed rear extension & alterations, detached garage, and parking provision & means of access

Location: Land rear of 192 Burnley Road, Weir

Report of: Planning Unit Manager

Status: For Publication

Report to: Development Control Committee

Date of Committee: 20 January 2009

Applicant: Mr S Ashworth

Determination Expiry Date: 17 December 2008

Agent:

REASON FOR REPORTING **Tick Box**

Outside Officer Scheme of Delegation

Member Call-In

Name of Member:
Reason for Call-In:

More than 3 objections received **X**

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.

APPLICATION DETAILS

1. SITE

This application relates to a dwelling that faces Burnley Road and is on the corner of Hillside Crescent. The dwelling is two storey, with those elevations facing highway constructed of stone and the rear elevation of render. The garden to the rear has a high stone wall adjacent to the highway, with a pedestrian gated entrance. A drop-crossing also exists off Hillside Crescent that would provide a means of access into the rear garden.

To the rear, fronting Hillside Crescent, are more modern brick-built split-level dwellings, elevated above the level of the applicants property.

The site is located within the Urban Boundary on the Rossendale District Local Plan.

2. RELEVANT PLANNING HISTORY

None

3. THE PROPOSAL

The application seeks permission for the construction of a detached double garage and a single storey rear extension to provide an enlarged kitchen.

The extension would be finished in render, to match the existing rear elevation, under a slate roof. It would have patio doors in its rear elevation as well as skylight to provide additional light. The extension would be 1.6m in depth and 2.8m in width.

The garage that is proposed would have a pitched roof with stone facings on the front elevation and all other elevations would be whitewashed render. The building would be roofed in concrete tiles and would be 5.5m in depth and 5.8 in width. Access to the garage is by means of a upvc up and over door with an oak finish. The garage would have its door facing the rear elevation of the house and would be fronted by a hardstanding enabling cars to turn clear of the highway.

4. POLICY CONTEXT

National

PPS1 - Delivering Sustainable Development

PPS3 – Housing

PPG13 Transport

Development Plan

Regional Spatial Strategy for the NW of England (2008).

DP1-9 - Spatial Principles

RDF1 - Spatial Priorities

EM1 - Environmental Assets

RT4 - Management of the Highway Network

Rossendale District Local Plan (1995)

DS1 – Urban Boundary
DC1 – Development Criteria
DC4 – Materials

Other Material Planning Considerations

LCC Parking Standards
RBC Alterations and Extensions to Residential Properties SPD

5. CONSULTATION RESPONSES

LCC (Highways)

No objection in principle.

6. REPRESENTATIONS

Site notices were posted on 21/11/2008 as shown on the site plan. 6 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.

Three letters of objection have been received that make the following summarised comments:

- Loss of daylight and sunlight
- Potential commercial use of the proposed garage
- Increased traffic, noise, pollution and parking problems
- Highway hazard entering and leaving the application site
- Garage proportions are excessive
- Loft conversion
- Garage would be an eyesore and incongruous
- Requirement for a Traffic Regulation Order

7. ASSESSMENT

The principal issues for consideration are : 1) principle, 2) visual amenity, 3) neighbour amenity and 3) highway considerations.

Principle

In the adopted Local Plan the application site lies within the Urban Boundary. It is therefore considered that the proposal is acceptable in principle.

Visual Amenity

The proposed single storey rear extension is relatively small being only 1.6m in depth and 2.8m in width. It is considered that its design and facing materials are such that it will not detract unacceptably from the character of the area.

The proposed garage would be screened from public view in part by a 1.8 m boundary wall. Stone quoins are proposed on the front elevation with rendered elevations. A

condition is proposed to control the materials of construction. The proposal is acceptable in this regard.

Neighbour Amenity

The single storey extension has a chamfered elevation facing the neighbour at 194 Burnley Road and the submitted plans indicate that the proposals would meet the Council's Supplementary Planning Document for residential extensions in terms of the forty five degree rule. Additionally, there are no windows facing the neighbouring property that would result in a loss of privacy. As such, it is considered therefore that the extension would not give rise to a loss of privacy, outlook or light and is acceptable in this regard.

The detached garage will be located 11.2m away from the neighbour house at 194 Burnley Road and 6.0m away from the house at 1a Hillside Crescent, the dwelling to the rear. As such the proposal would not result in a significant loss of light or outlook to these dwellings.

Concerns have been expressed in terms of the potential for noise nuisance. Conditions are proposed in relation to hours of construction can be controlled and to preclude the garage being used for commercial purposes.

Highway Safety

The Highway Authority has already constructed the dropped-crossing and has no objection in principle to the proposal. Despite the access-point being close to the Burnley Road/Hillside Crescent junction, a plan has been submitted that indicates how vehicles will be able to turn within the side and exit to the highway in forward gear. A condition is recommended to ensure the formation of adequate visibility splays at the access-point. It is considered that the proposal is acceptable in this regard.

8. SUMMARY REASON FOR APPROVAL

The site is located within the Urban Boundary and the proposed development would not result in unacceptable detriment to visual and neighbour amenity or highway safety. It is therefore considered that the proposal accords with the provisions of PPS1 / PPG13, Policies DP1-9 / EM1 / RT4 of the Regional Spatial Strategy (2008), and saved Policy DS1 and the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan, and the Council's Alterations & Residential Extensions SPD.

9. RECOMMENDATION

That permission be granted.

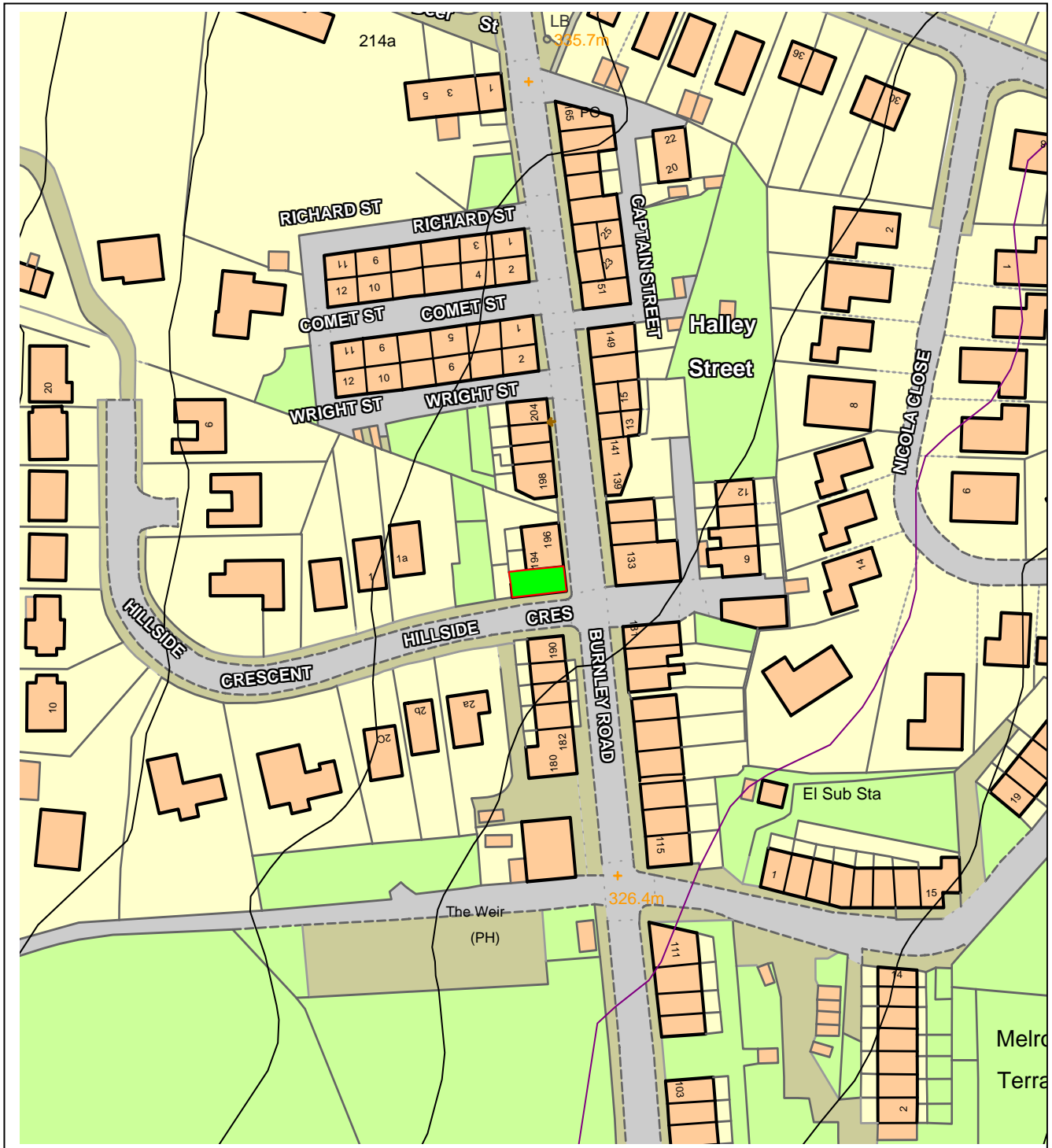
10. CONDITIONS

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. Notwithstanding what is shown on the approved drawings, the materials used in the construction of the development hereby approved shall match in terms of their size, colour, form and texture those of the existing rear elevation of the house./ be as stated on the application form and drawings. Reason : In the interests of visual amenity and to accord with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.
3. The garage hereby approved shall be used for incidental residential purposes, including the parking of cars, and not for business purposes. Reason : For the avoidance of doubt and to accord with the criteria of saved Policy DC1 of the Adopted Rossendale District Local Plan.
4. Prior to first use of the garage, the stone boundary wall within 2m of the vehicular access point to Hillside Crescent shall be reduced in height to be not more than 0.9m high. Reason : In the interests of highway safety and to accord with the criteria of saved Policy DC1 of the Adopted Rossendale District Local Plan.
5. Prior to first use of the garage, a hardstanding to the front of it as shown on the approved drawing shall be formed and thereafter kept freely available for use for the parking and turning of vehicles. Reason : In the interest of highway safety and to accord with the criteria of saved Policy DC1 of the Adopted Rossendale District Local Plan.
6. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am to 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays. Reason : To safeguard the amenities of nearby residential properties in accordance with saved policy DC1 of the Rossendale District Local Plan.
7. The development hereby permitted shall be constructed in accordance with plans dated 5/12/2008 and the additional plan dated 5 January 2009. Reason : For the avoidance of doubt and to ensure the development accords with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.

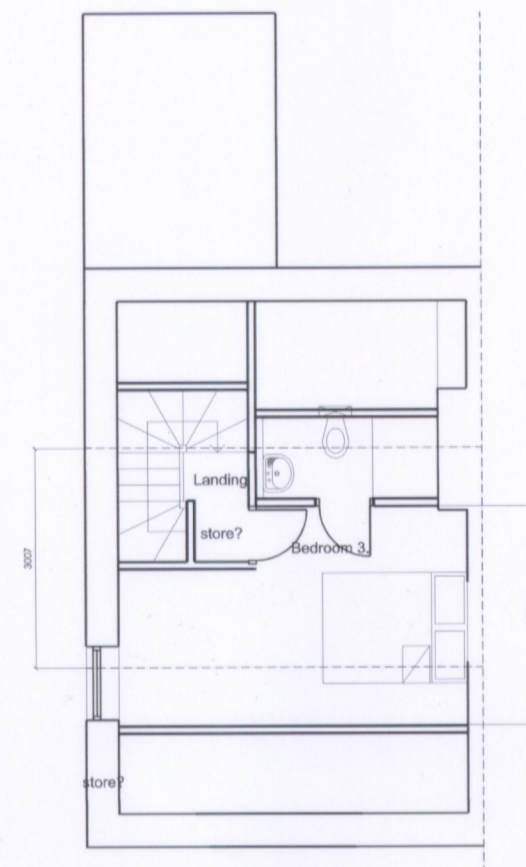
Contact Officer	
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Service / Team	Development Control
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Email address	planning@rossendalebc.gov.uk

Location Plan 2008/0701

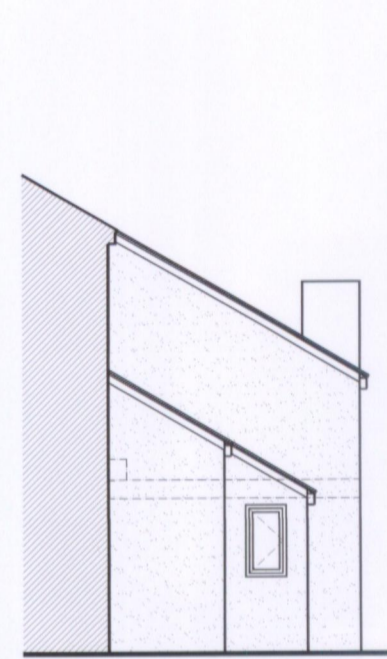


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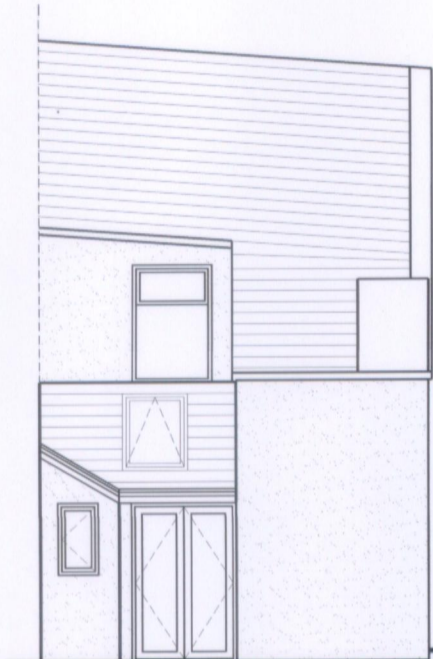
EXISTING AND PROPOSED DWELLING PLANS AND ELEVATIONS @ 1:100



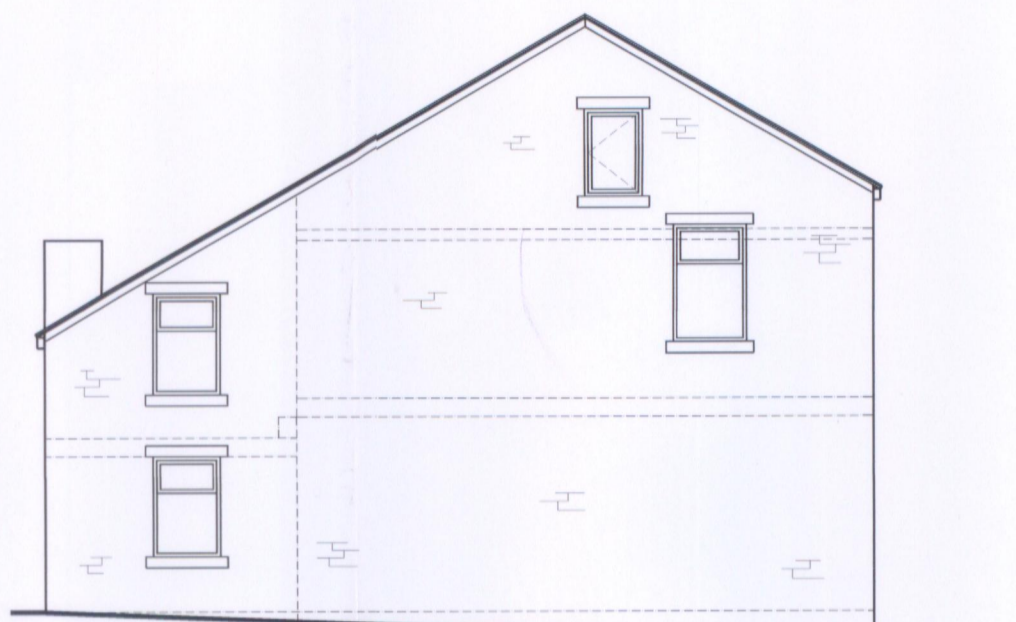
Proposed First Floor Plan



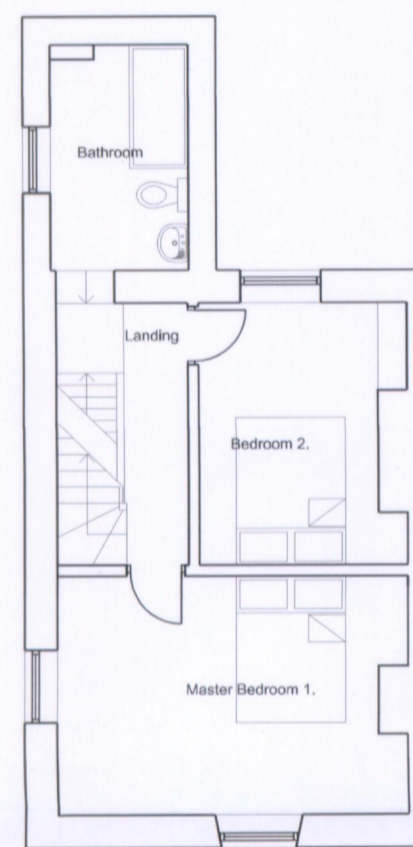
Proposed Side Elevation



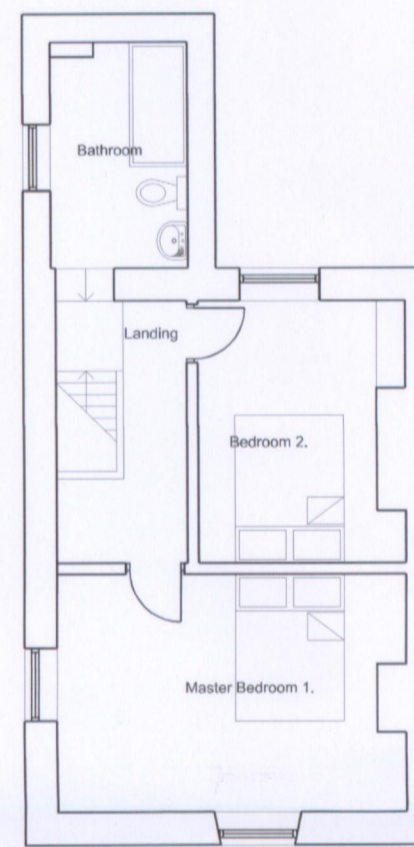
Proposed Rear Elevation



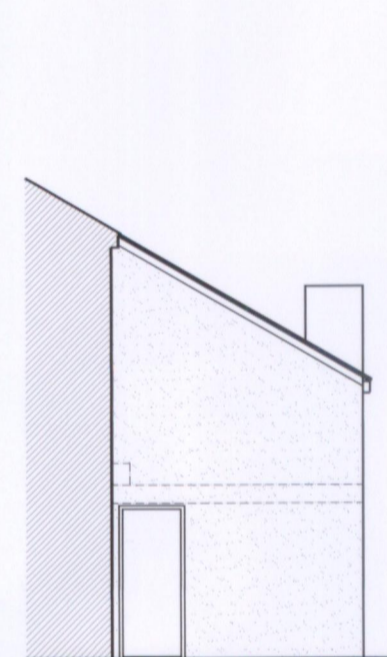
Proposed Side Elevation



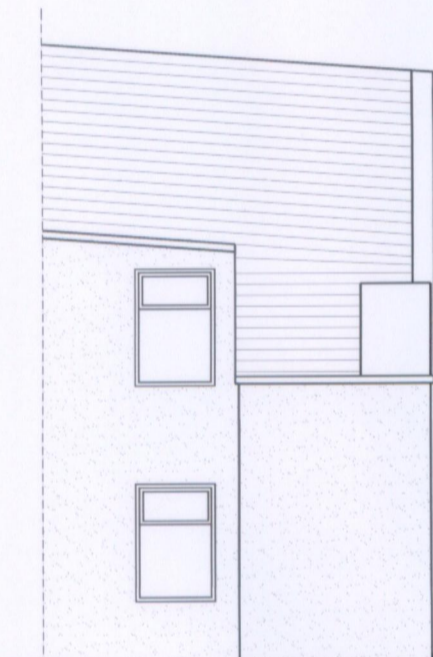
Existing First Floor Plan



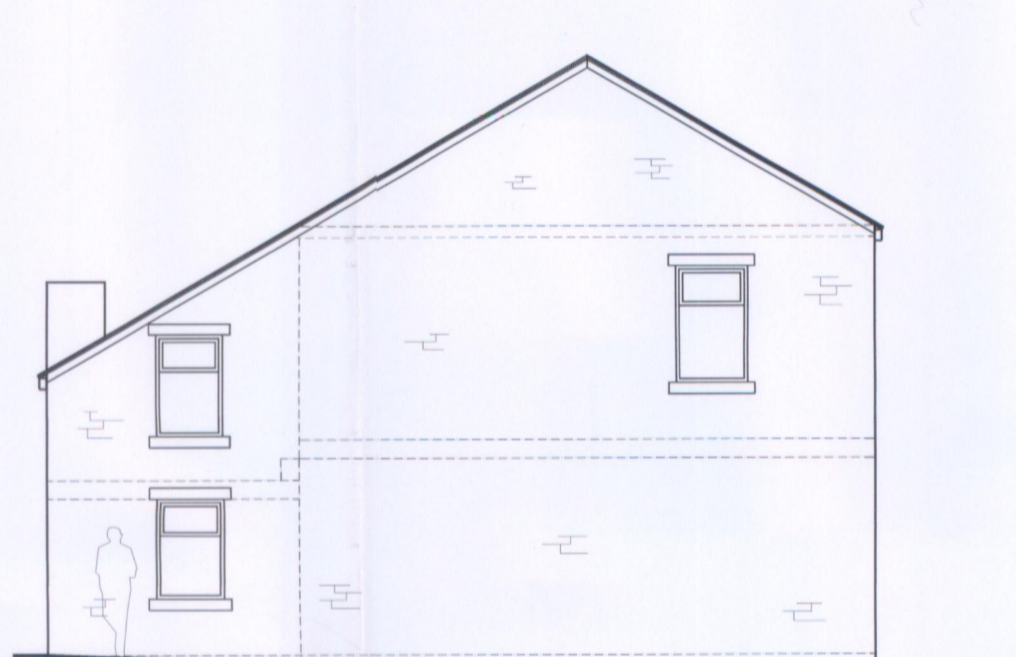
Proposed First Floor Plan



Existing Side Elevation

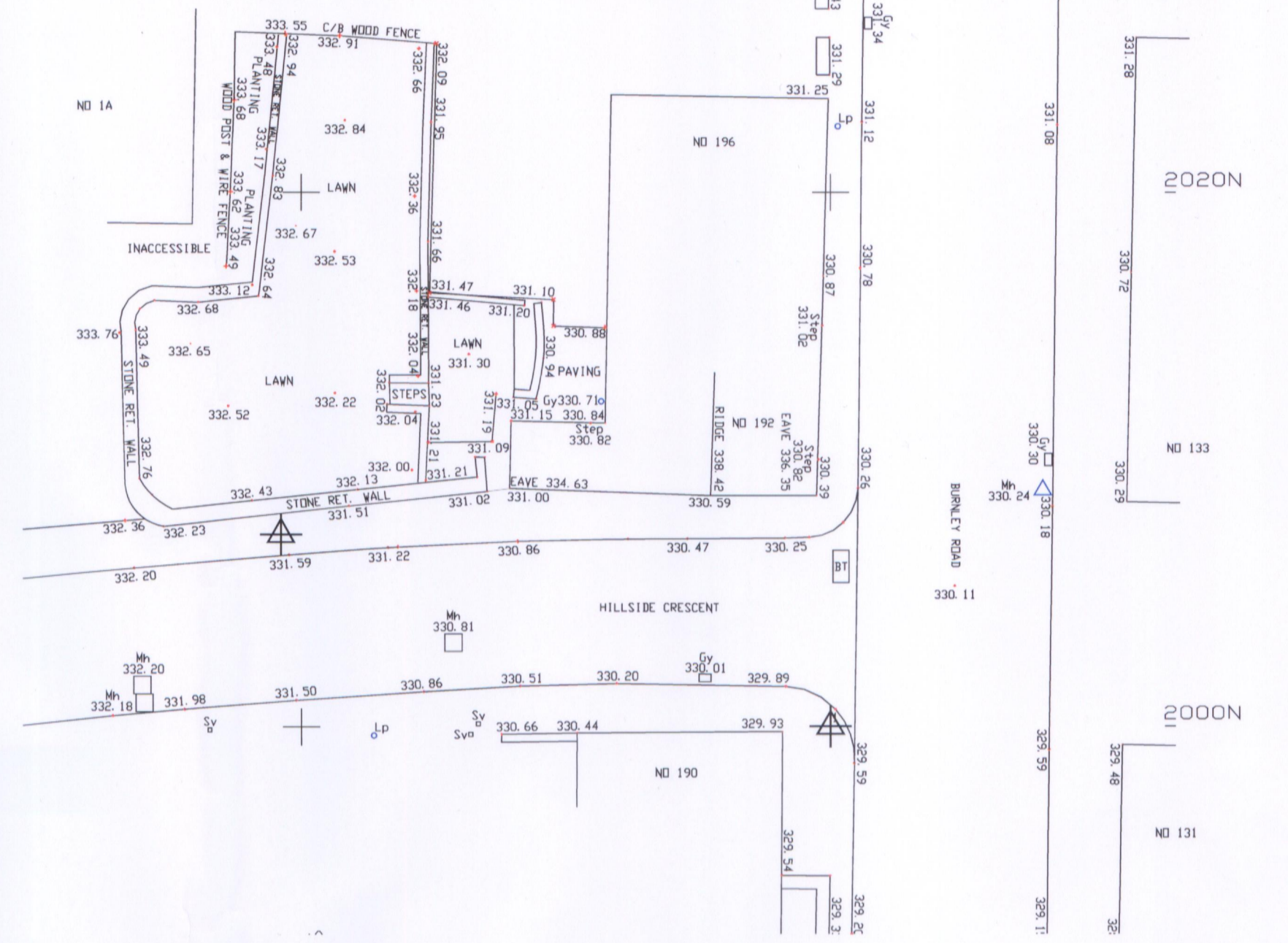


Existing Rear Elevation

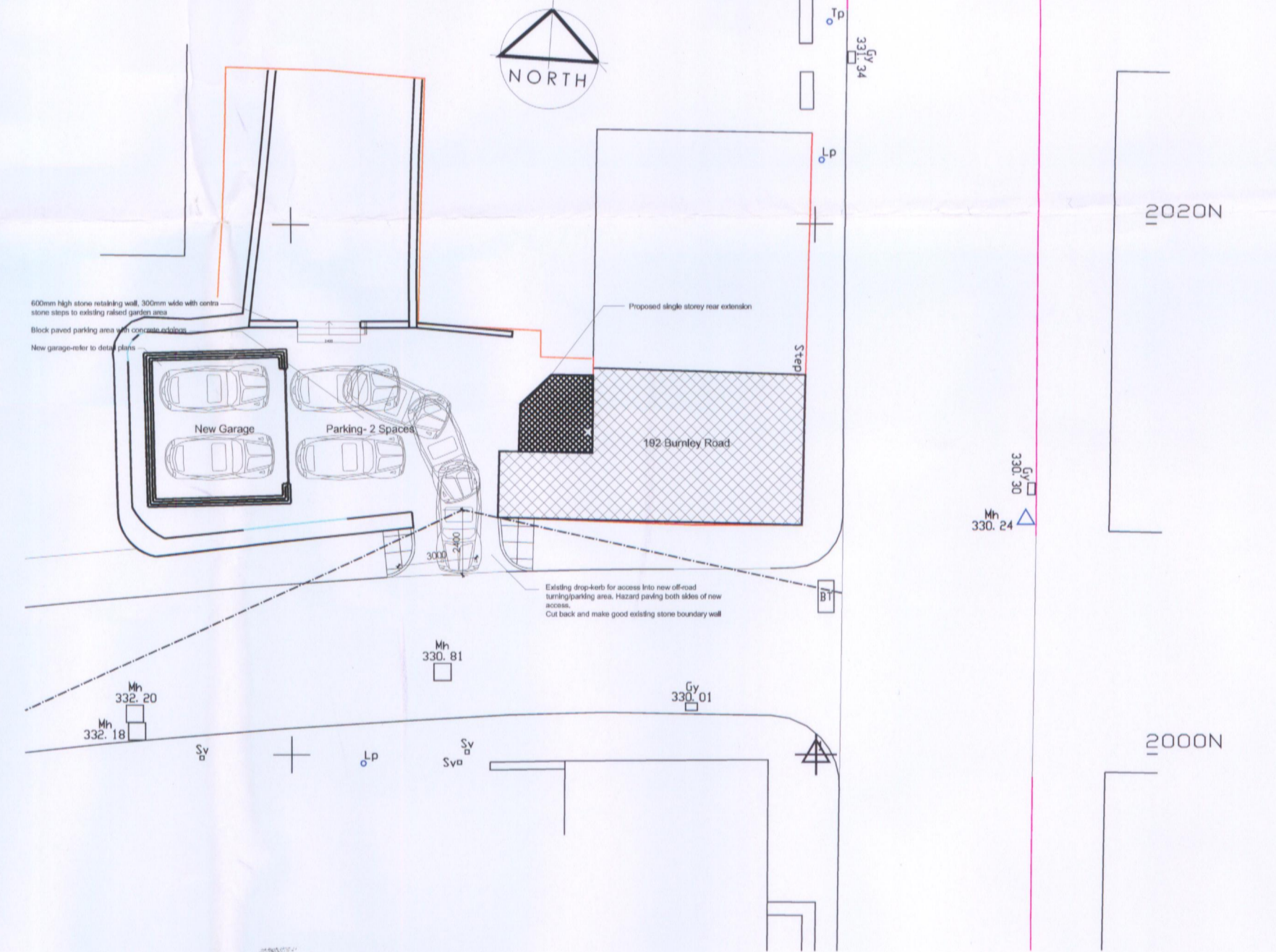


Existing Side Elevation

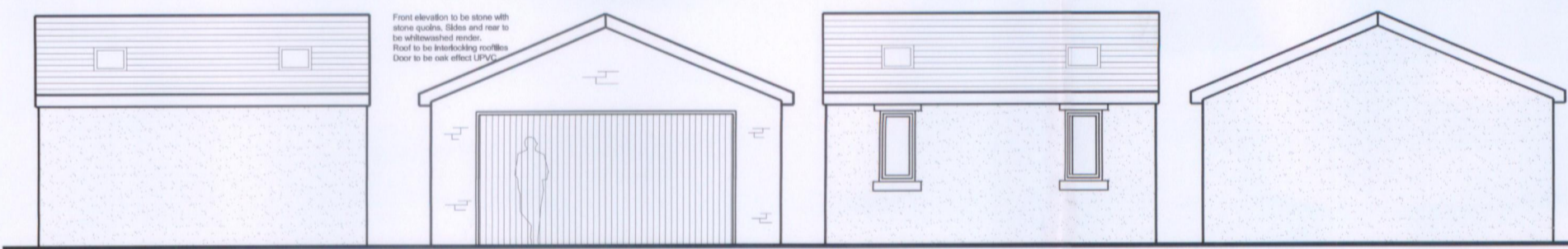
EXISTING SITEPLAN @ 1:200



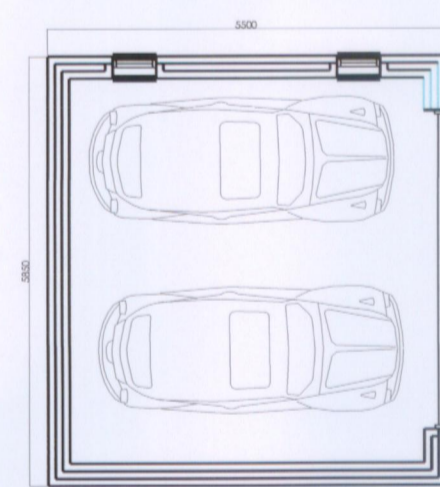
PROPOSED SITEPLAN @ 1:200



PROPOSED GARAGE PLANS AND ELEVATIONS @ 1:100

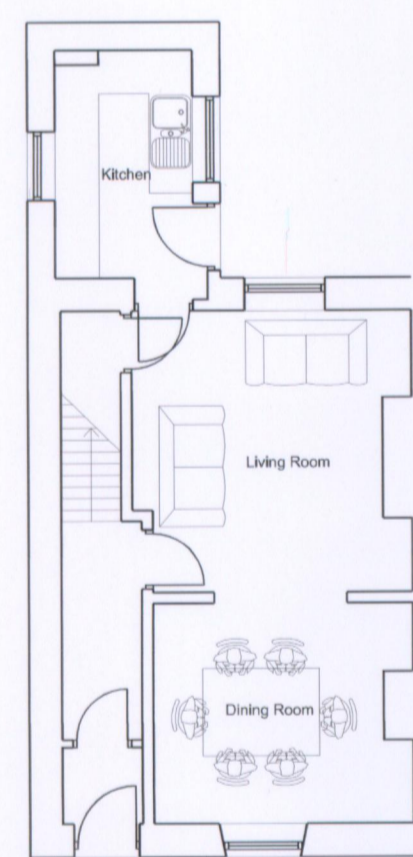
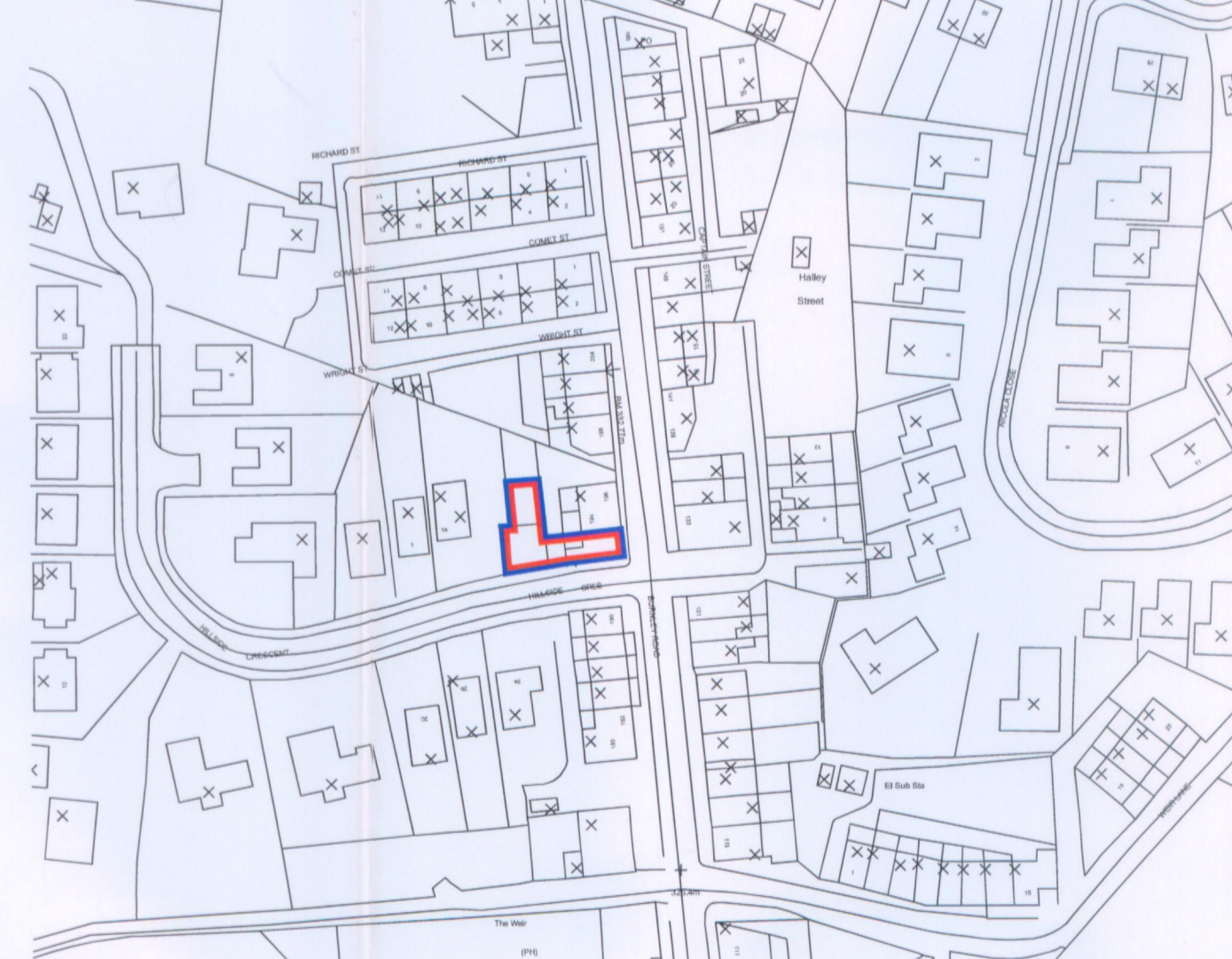


Proposed Side Elevation Proposed Front Elevation Proposed Side Elevation Proposed Rear Elevation

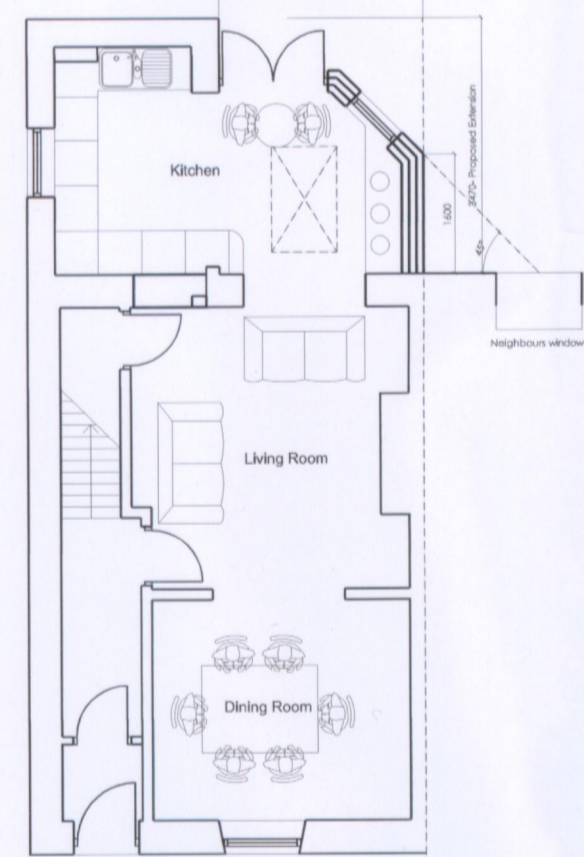


Proposed Garage Plan

LOCATION PLAN @ 1:1250



Existing Ground Floor Plan



Proposed Ground Floor Plan



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rev.	date	status
B	19.08.08	Amendments following Planning/client discussions
A	30.07.08	Amendments following Planning meeting

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purpose: planning only
 client: Stuart Ashworth
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 job title: Rear Extension, Alterations and New Garage

drawing title: Existing and Proposed Plans and Elevations
 drawing no.: 08.39.01
 scale(s): 1:100@A1
 date: August 08

