

**Application No:** 2009/0210

**Application Type:** Full

**Proposal:** Removal of two-storey external steel staircase & erection of three- storey extension to rear, and removal of hip from roof to south elevation

**Location:** Celeste Arnold 5 Market Place Edenfield Lancashire

**Report of:** Planning Unit Manager

**Status:** For Publication

**Report to:** Development Control Committee

**Date:** 3 August 2009

**Applicant:** Mr John Arnold  
5 Market Place  
Edenfield  
Rossendale

**Determination Expiry Date:** 21 August 2009

**Agent:** Hartley Planning & Development

**REASON FOR REPORTING**

**Tick Box**

**Outside Officer Scheme of Delegation**

**x**

**Member Call-In**

**✓**

Name of Member:

Cllr Daryl Smith

**Reason for Call-In:**

Consideration should be had to the economic benefits the proposal is likely to bring to the area and Rossendale as a whole.

**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. The Site**

The application relates a two storey semi detached white painted stone property with painted brown detailing for the quoins and around the window frames under a hipped slate roof. There is a date stone on the south east corner at eaves level. The building is situated in a prominent, central location in Edenfield fronting the A680, a short distance from the roundabout leading to Bury Road and Rochdale Road. There is a public house to the south with access to a parking area down the side of Celeste Arnold. The building has an external steel staircase located in the yard to the rear which rises up to two storeys in height. The rear yard backs onto the rear garden area of No.7 Exchange Street, an end terraced property in a row of 5 on an east west alignment away from the application site.

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

### **2. Relevant Planning History**

1999-276	Conversion of empty shop and flat over to hair and beauty salon. Approved
2002-525	Erection of roller shutter to the front door Approved
2006-296	Change of use of first floor to beauty salon and roof space to flat. Withdrawn

### **3. The Current Proposal**

The applicant seeks consent to change the hipped roof to a gable end style roof. It is also proposed to remove the external rear staircase and construct a 3 storey extension in its place.

The extension would measure 5.65 metres wide with a maximum depth of 2.4 metres and would reach a height 0.1 metres below the ridge height of the original roof. As such the third storey of the extension would be sited above the eaves height of the building. The first two storeys would be used to site an internal staircase, the third storey has been proposed to be used as a training area for the salon and an office. The extension would be constructed in stone with a slate roof. Bin storage would remain to the rear.

### **4. Policy Context National**

PPS1 Delivering Sustainable Development  
PPG4 Industrial, Commercial Development and Small Firms  
PPS6 Planning for Town Centres  
PPG13 Transport

### **Development Plan**

#### **Regional Spatial Strategy for the North West (2008)**

Policy DP 1 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

L1 Health, Sport, Recreation, Cultural and Education Services Provision

RDF1 Spatial Priorities

EM1 Enhancement and Protection of the Region's Environmental Assets

RT2 Managing Travel Demand

RT4 Management of the Highway Network

#### **Rossendale District Local Plan (1995)**

DS1 Urban Boundary

DC1 Development Control

DC4 Materials

### **Other Material Considerations**

LCC Parking Standards

## **5. CONSULTATIONS**

LCC Highways – No objection

## **6. REPRESENTATIONS**

A site notice was posted on 03/07/2009 and 9 neighbours were notified by letter on 02/07/2009 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.

Two letters of representation have been received. The following points are made:

- Would like confirmation that all windows to the rear will be obscure glazed (opaque).
- Would like confirmation that any damage or scarring to the wall to be removed at the rear which is attached to the side wall of my house will be made good.
- Requests confirmation of bin storage arrangements

- The people living in the row of pavement fronted cottages on Exchange Street are constantly being plagued by vehicles parking in front of their window. Confirmation is sought that the artisans employed to complete the extension (they usually drive high siders) don't park in front of our properties and the noise and mess is kept to a minimum.
- It is expected that clientele will increase with the expansion of the building which is good, but, will mean more vehicles needing parking space.

## 7. ASSESSMENT

### Considerations

The main issues to be considered in the determination of this application are:

- 1) Principle
- 2) Visual Amenity
- 3) Neighbours Amenity
- 4) Access/Parking

#### 1) Principle

In the adopted Local Plan the application site lies within the Urban Boundary and is reasonably accessible by public transport. It is therefore considered that the proposed development accords with Policy DS1 of the Rossendale District Local Plan and is acceptable in principle.

#### 2) Impact on Visual Amenity

PPS1 sets out the Government's national policies on different aspects of land use planning, including overarching policies on the delivery of sustainable development through the planning system. Amongst its 'key principles' is that "*planning policies should promote high quality inclusive design in the layout of new developments and individual buildings in terms of function and impact, not just for the short-term but over the lifetime of the development. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted*". Paragraphs 33-39 amplify upon this, indicating that "...*Good design is indivisible from good planning....High quality and inclusive design should be the aim of all those involved in the development process.....*". In similar vein, Policy DP7 of the RSS and EM1 (amongst other things) seek to promote environmental quality.

The Council's Alterations and Extensions to Residential Properties SPD provides guidance on design aspects of developments. Although the extensions proposed are not to a domestic property the principles readily translate. Of particular note, reference is made to developments to achieve a high standard of design incorporating features such as roof style and eaves to reflect the building's original shape and architectural integrity, and developments should not detract from the appearance of the street-scene.

The proposed pitched roof would be out of character with the hipped roof of the two semi detached properties. It would, therefore, not respect the roof style of the original property. It is considered that this would result in an imbalance to the row that would be out of character with the building and the row as originally designed.

The proposed rear extension would not be prominent in the street scene, however, its design, with respect in particular to the third storey which sits above the original eaves level is considered to be both incongruous to the building and the row, and overly dominant and bulky, and would therefore be unacceptable in terms of visual amenity. The scheme is considered unacceptable in terms of visual amenity.

### 3) Residential Amenity

In terms of privacy, the rear extension would have windows to all levels that serve the staircase/landing areas and bathroom facilities. It is considered that these windows would result in some sense of overlooking. It is considered that in order for the application to be considered acceptable from a privacy/overlooking point of view the bathroom window and the large opening at first floor level should be obscured glazed. This could adequately be controlled by condition.

In terms of loss of light, and outlook the extension would not encroach upon the 45 degree line prescribed in the Council's SPD when taken from the nearest habitable room window of the houses to the rear and would only encroach past the 45 degree line from the attached neighbouring property by 0.26 metres. Accordingly it is considered that the development would not result in an undue loss of light or outlook to nearby residents. It is considered that there wouldn't be a significant increase in noise resulting from the development over and above existing levels.

The scheme is considered acceptable in terms of residential amenity.

### 4) Highway Safety

No off street parking exists within the curtilage of the property. The application, however, contains a letter from the neighbouring public house stating that they would give permission for all clients to have full use of the car park. Two representations have been received which highlight concerns with regards to parking on Exchange Street however, there has been no objection from the Highways Authority. The scheme is considered acceptable in terms of highway safety.

### 5) Other Matters Not Already Addressed

It is stated that the change in roof design is fundamental to the success of the whole project for Celeste Arnold, would result in the creation of four jobs and would have positive impacts on the local district shopping centre. Whilst the proposal is considered to be broadly acceptable with PPG4 and PPS6 in that it would maintain and enhance a local business and would be in a sustainable location it is considered that this does not override the unacceptable impact that the development would have in terms of its design.

## 8. Conclusion

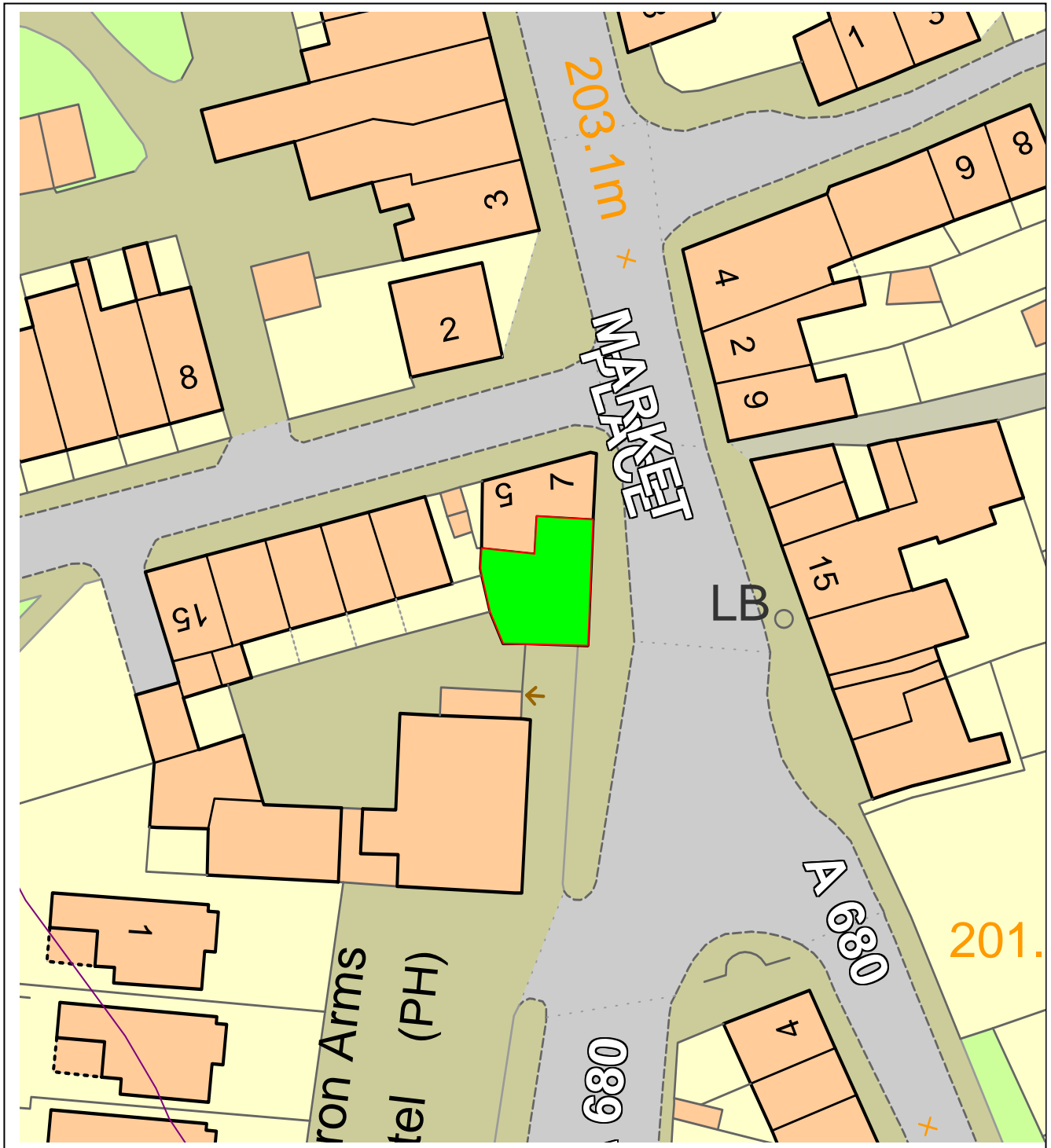
For the above reasons the application is considered unacceptable.

## **Reason for Refusal**

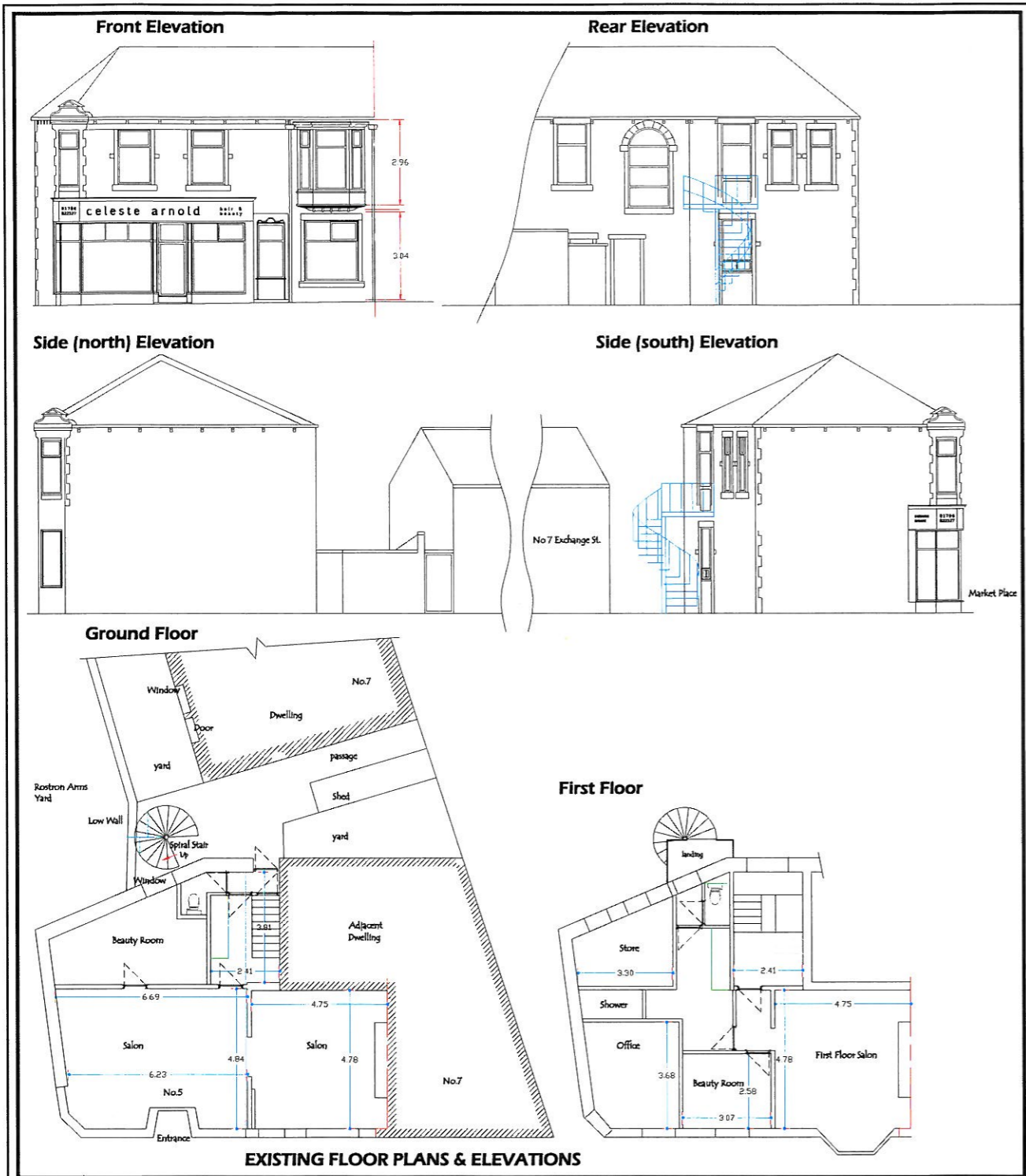
1) The application by reason of the size, height and design of the rear extension and the design of the roof changes to the side elevation are considered not to be a high standard of design and would detract to an unacceptable extent from the character and appearance of the building, the row and the street scene. The application is therefore considered to be contrary to PPS1 and Policies DP1-DP9 and EM1 of the Regional Spatial Strategy for the North West, and Saved Policies DC1 and DC4 of the Rossendale District Local Plan.

<b>Contact Officer</b>	
Name	Richard Elliott
Position	Planning Officer
Service / Team	Development Control
Telephone	01706-238649
Email address	planning@rossendalebc.gov.uk

# Location Plan – 2009/210



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2009/210  
26 JUN 2009

NB. The Local Planning Authority will approve Roof tiles, external wall material, & window/door type

SCALE 1:100

Project	Drawing	Client	Scale	
3 MARKET PLACE EDENFIELD RAMSBOTTOM BURY	EXISTING & PROPOSED FLOOR PLANS & ELEVATIONS	CELESTE ARNOLD	1:100	
UK - DRAWING - SERVICES LTD. Tel: 01796 826641 www.uk-drawing-services.co.uk				
a The rear feature stair window repositioned in the new extension Existing & proposed Side elevation added	Date	Drawing No.	Revision	
b North Elevation added	18/02/09	02	b	