

<b>Application No:</b> 2009/468	<b>Application Type:</b> Householder
<b>Proposal:</b> Construction of Summer House/Domestic Store to Front	<b>Location:</b> Underbank Farm, Underbank Road, Rising Bridge
<b>Report of:</b> Planning Unit Manager	<b>Status:</b> For Publication
<b>Report to:</b> Development Control Committee	<b>Date:</b> 1 June 2010
<b>Applicant:</b> Mrs E Laraway	<b>Determination Expiry Date:</b> 13 May 2010
<b>Agent:</b> None	

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

**Outside Officer Scheme of Delegation**

**Member Call-In**

Name of Member:

Reason for Call-In:

**3 or more objections received** ✓

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.

**1. THE SITE**

Underbank Road is accessed from Rising Bridge Road via Worsley Street. It is cobbled and currently serves 6 properties, 4 of which form a row of stone and slate terraced houses. One of the houses is owned by the applicant (Underbank Farm), as too is land to the west side of the terrace which has recently been granted planning permission for erection of a detached house.

A stone wall is sited in front of Underbank Farm, with a gated entrance giving access to a recently-constructed cobbled road to serve the proposed house. The site is located within the Urban Boundary of Rising Bridge, as designated in the Rossendale District Local Plan.

## **2. RELEVANT DEVELOPMENT CONTROL HISTORY**

**2009/0526** Construction of 1 detached dwelling  
Approved at March 2010 Committee

## **3. PROPOSAL**

The application seeks permission for an outbuilding, to be used by residents of Underbank Farm and sited immediately to the south of the cobbled road leading to the site for the for the recently-approved dwelling.

The outbuilding will be L-shaped, with a width of 6.1m and a maximum depth of 5.8m, reducing to 3.6m to create the 'L'. Although described by the applicant as "summerhouse" on the submitted application form this outbuilding will have 3 separate rooms, part to be used as a summerhouse and the other 2 parts to be used for ancillary domestic storage. The former will have a single door and window to each side of it, and the latter rooms will have double doors. The building will be clad with tongue-and-groove boarding and have a pitched-roof covered with felt and with a ridge height of 2.5m.

## **4. POLICY CONTEXT**

### **National Planning Guidance**

PPS1 Sustainable Development  
PPS3 Housing  
PPG13 Transport

### **Development Plan Policies**

#### **Regional Spatial Strategy for the NW (2008)**

DP1-9 Spatial Principles  
RDF1 Spatial Priorities  
RT2 Managing Travel Demand  
RT4 Management of the Highway Network  
EM1 Environmental Assets

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

DS1 Urban Boundary  
DC1 Development Criteria  
DC4 Materials

### **Other Material Planning Considerations**

4NW Draft Partial review of the RSS  
LCC Parking Standards

RBC Emerging Core Strategy (2009)  
RBC Alterations and Extensions to Residential Properties SPD (2008)

## **5. CONSULTATION RESPONSES**

### LCC Highways

No comments received.

## **6. NOTIFICATION RESPONSES**

To accord with the General Development Procedure Order a site notice was posted on 01/04/10 and 4 neighbours were notified by letter on 22/03/2010.

Five letters of objection have been received and one letter of support.

The objections refer to:

- Increased traffic flows on already congested roads.
- The excessive size of the so-called summerhouse and a design/appearance which is more akin to a storage facility for the owners business.
- The building may not actually fit in the proposed space.

The letter of support refers to :

- The site until recently was in a state of disarray. It is now beginning to look a lot better and will prove to be an asset to the appearance of the area.
- The summerhouse will also help to mask the existing palisade fencing that bounds part of the site.

## **7. ASSESSMENT**

The main considerations are:

1) Principle; 2) Visual Amenity; 3) Neighbour Amenity; & 4) Traffic/Parking.

### Principle

The application site is within the defined Urban Boundary and, as such, is acceptable in principle.

### Visual Amenity

Paragraph 3.9 of the Council's Alterations and Extensions to Residential Properties SPD states that garden structures will not normally be allowed to the front of domestic properties where they would be within 2 m of the boundary, and they will be considered against the general principles included in this SPD, including amenity concerns and visual dominance.

Whilst the proposed outbuilding would be located to the front of the applicants house and be within 2 metres of a boundary, in this instance the development is considered acceptable. Having regard to its siting/size I am satisfied it will not be unduly prominent or obtrusive in the street-scene. Its design and the facing materials indicated are considered appropriate. However, there is no indication of the intended

materials for the external doors. To ensure that they are not of unnecessarily utilitarian / inappropriate appearance a condition is proposed to ensure that they are of timber to match the external walls. On this basis I am satisfied the proposed outbuilding will not unduly detract from the character and appearance of the area.

#### Neighbour Amenity

The outbuildings siting and modest height would not result in a significant loss of light and outlook for neighbours. At a distance of 14+ metres from neighbouring houses, it is considered that there would not be a significant impact on privacy, particularly so as the building would not be used for continuous periods that could cause a perception of being overlooked.

Concern has been expressed by objectors about the size of the building and its potential use for business purposes. It is considered that a condition should be imposed restricting use of the outbuilding to purposes incidental to the enjoyment of the dwellinghouse as such.

#### Traffic/Parking

Concern has been expressed by objectors about the proximity of the proposed outbuilding to the access road to serve the proposed dwelling. It is the case that the outbuilding will come close to the cobbled road to serve the proposed dwelling, but not unduly close as it is a private drive, not an adopted highway. Nor will the outbuilding adversely affect the parking facilities of existing properties on Underbank Road or the parking arrangements intended for the proposed dwelling.

### **8. SUMMARY REASON FOR APPROVAL**

The proposed development is appropriate in principle within the Urban Boundary of Rising Bridge and, subject to the conditions, is not considered likely to unduly affect visual and neighbour amenity or highway safety. Therefore, it is considered that the proposed development accords with PPS1 / PPS3 / PPG13, Policies DP1-9 / RDF1 / RT2 / RT4 / EM1 of the Regional Spatial Strategy, and Policies DS1 / DC1 of the Rossendale District Local Plan.

### **9. RECOMMENDATION**

Approve

#### **Conditions**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The external doors of the outbuilding shall be constructed of timber matching in appearance/colour the external walls. The development shall otherwise be carried out in accordance with the drawings numbered DT/02/01b and DT/02/02, unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority.

Reason: To ensure the development complies with the approved plans and to ensure that the development is of satisfactory appearance, in accordance with Policy DC1 of the Rossendale District Local Plan.

3. The outbuilding hereby permitted shall only be used for purposes incidental to the enjoyment of the dwellinghouse at Underbank Farm as such, and shall at no time be used for any trade or business purposes.

Reason : In the interests of visual and neighbour amenity, in accordance with Policy DC1 of the Rossendale District Local Plan.

4. 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 and 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 neighbours, in accordance with Policy DC1 of the Rossendale District Local Plan.

<b>Contact Officer</b>	
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