

Application Number:	2011/109	Application Type:	Full
Proposal:	Erection of detached garage with wc and alterations to drive	Location:	16 Heycroft's View, Edenfield
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	14/06/2011
Applicant:	Mr D Edwards	Determination Expiry Date:	28/04/2011
Agent:	Mr J Hodkinson		

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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.

RECOMMENDATION(S)
Approval

APPLICATION DETAILS

1. SITE

The application relates to a 2-storey detached house, situated on Heycrofts View, close to its junction with Market Street (B6527).

The house forms part of a relatively modern residential development, where each house is broadly similar in size and design and are all arranged around a cul-de-sac. The houses have stone-faced ground floors, rendered/half-timbered first floors and tiled roofs.

The applicant's house has an integral garage and, to the rear, a single storey extension with extensive views over the Countryside beyond. To the front of the garage is a hard-surfaced area providing parking for two vehicles and a small lawned area. To the west side, extending up to Market Street, is a large side-garden, part of it enclosed by a 2.5m high Beech hedge, leaving a wide privately-owned grass verge with a handful of ornamental trees.

The application site lies within the Urban Boundary as designated in the Rossendale District Local Plan.

2. RELEVANT PLANNING HISTORY

- 1989/189 Erection of 14 no dwellings
Approved 02/10/89 with a Condition removing 'permitted development' rights' for extensions & outbuildings
- 2008/292 Erection of 2-storey side extension & 1-storey rear extension
Approved 13/6/08
- 2010/664 Erection of two storey rear extension
Approved 11/02/11
- 2011/022 Detached double garage
Withdrawn 17/02/211

3. THE PROPOSAL

This application seeks permission for the construction of a detached double garage, with wc projection to its rear, and formation of a new hard-surfaced area within the front garden.

The proposed garage would be located between the house and Market Street. It would be 7m wide and 7m in depth, increasing in part to 9m to accommodate the wc. It will have an eaves height of 2.4m and a ridge height of 4.2m. The building would be constructed in natural stone, under a slated roof, The hardstanding to be formed in front of its 2 up-and-over doors is to be accessed from Heycrofts View and extend partly across the front of the house so vehicles can turn and exit to the highway in forward gear.

In addition, the ornamental tree nearest to the new access is to be removed; the existing garage is to be converted to living accommodation and the drive fronting will be soft-landscaped.

4. POLICY CONTEXT

National Planning Guidance

PPS1 – Delivering Sustainable Development
PPS3 – Housing
PPG13 – Transport

Regional Spatial Strategy Policies

North-West of England Plan – Regional Spatial Strategy to 2021

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 RT 4 Management of the Highway Network
Policy EM1 Environmental Assets

Rossendale District Local Plan (1995)

DS1 – Urban Boundary
DC1 – Development Criteria
DC4 – Materials

Other Material Planning Considerations

RBC Submitted Core Strategy (2010)
RBC Alterations & Extensions to Residential Properties SPD (2008)

5. CONSULTEE RESPONSES

LCC (Highways)

No objection, the applicant having submitted an amended drawing to address its initial concerns about details of the proposed drive. However, it would not wish the garage to be kept available for parking of the residents cars and not used for trade/business purposes.

6. REPRESENTATIONS

To accord with the General Development Procedure Order, site notices were posted on 11/03/2011 and 17 neighbours were notified by letter on 11/03/2011.

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

- Height of proposed garage
- Loss of daylight/sunlight
- Proposed use

7. ASSESSMENT

The main considerations of the application are: 1) Principle; 2) Visual Amenity 3) Neighbour Amenity and 4) Access/Parking

Principle

The application site is within the defined Urban Boundary. Therefore the development is acceptable in principle.

Visual Amenity

The proposed outbuilding will be visible in the street-scene. However, it is not of disproportionate scale, having regard to the size of both the applicant's house and the side-garden. Furthermore, it is of a design/facing materials in-keeping with the house and would sit behind the 2.5m high beech hedge screening the side-garden from Market Street. The ornamental tree to be removed does not form a particularly prominent feature in the street-scene. As such, the proposals are acceptable in terms of visual amenity.

Neighbour Amenity

The proposed outbuilding will stand 5m from the 2.5m high beech hedge on the party-boundary with 58 Market Street. Accordingly, I am satisfied that its construction will not result in levels of light, outlook or privacy for this or any other neighbours being appreciably worse.

Access/Parking

As amended, the Highway Authority considers the proposed development will provide the applicant's property with safe and satisfactory off-street parking/turning. I concur with its view that the proposed_garage/hardstanding should be kept available for the parking of vehicles of the resident. I also consider it appropriate to require the existing access-point/hardstanding to be removed.

8. SUMMARY REASON FOR APPROVAL

The proposed development is appropriate in principle in the Urban Boundary and would not unduly detract from visual and neighbour amenity or highway safety. It is considered that the development is in accordance with PPS1/PPS3/PPG13, Policies RDF1/RT2/RT4/EM1 of the Regional Spatial Strategy, Policies DS1/DC1 of Rossendale District Local Plan, and the Council's Alterations & Extensions to Residential Properties SPD (June 2008).

9. RECOMMENDATION

Approve with Conditions

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. All facing materials to be used in the elevations and roof of the outbuilding hereby permitted shall match in colour, form and texture those of the existing house, 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 Saved Policy DC.1 of the Rossendale District Local Plan.
3. The new driveway shall be provided with a hard permeable surface, and a pavement-crossing shall be provided to the standards and specifications for adoption by LCC (Highways), prior to its first use by vehicles.

Reason: In the interests of highway safety, in accordance with Policy DC1 of the Rossendale District Local Plan.

4. Within 4 weeks of first use of the new driveway by vehicles the existing drive way shall be removed and this area shall be soft-landscaped, and the pavement fronting it shall be re-instated to the standards and specifications for adoption by LCC (Highways).

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

5. The outbuilding hereby permitted shall be used solely for purposes incidental to the enjoyment of the existing dwellinghouse at 16 Heycrofts View as such (including parking of cars), and not for trade or business purposes.

Reason: To safeguard the amenities of nearby residential properties, in accordance with Policy DC1 of the 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 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 nearby residential properties, in accordance with Policy DC1 of the Rossendale District Local Plan.