

<b>Application Number:</b>	2011/431	<b>Application Type:</b>	Full
<b>Proposal:</b>	Erection of 2 storey side extension and erection of detached double garage	<b>Location:</b>	10 Doals Gate, Weir
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	11 October 2011
<b>Applicant:</b>	Mr A Harris	<b>Determination Expiry Date:</b>	7 November 2011
<b>Agent:</b>	Edmondson Design Services		

<b>Contact Officer:</b>	Rebecca Taylor	<b>Telephone:</b>	01706-238640
<b>Email:</b>	planning@rossendalebc.gov.uk		

**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

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.

<b>RECOMMENDATION(S)</b>
Approval, subject to the conditions detailed in Section 9 of the report.

---

## APPLICATION DETAILS

### 1. SITE

The application relates to a relatively modern 2-storey detached house, of brick and tiled-roof construction. The property has white UPVC windows and a white UPVC conservatory to rear. There is also a single-car garage which is attached to the eastern gable, with slight forward projection from the front elevation.

The property fronts the turning-head of Doals Gate and to a public footpath that leads down to Heald Lane. The property has a large garden to the rear which bounds the rear garden of a property fronting Deerplay Court. To the east side of the applicants house the garden area slopes down towards the rear gardens of 46 Heald Lane (a semi-detached house, with first floor side extension) and 48 Heald Lane (a bungalow), both of which are approximately 1.5m lower in level.

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

### 2. RELEVANT PLANNING HISTORY

None

### 3. THE PROPOSAL

The applicant seeks permission to erect a 2-storey side extension, requiring demolition of the existing garage, and for erection of a detached double-garage.

The 2-storey extension would project from the eastern gable by 3m and be equal in ridge and eave height to the existing property. The extension would have no windows in the elevation facing towards Heald Lane and would be separated from the rear elevations of the houses here by approximately 15m.

The extension would provide a play room and dining room on ground floor and a fourth bedroom with en suite at first floor. There would be two windows in the front elevation and patio doors and a first floor window to the rear.

The double-garage would be sited near the northern boundary of the property, with a gable facing the public footpath. It would be 6m square, with an eaves-height of 2.3m and a ridge-height of 4m.

Both the extension and the garage and would be constructed of brick and tile to match the existing property.

### 4. POLICY CONTEXT

#### National

PPS1 Sustainable Development

PPS3 Housing

## **Development Plan**

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

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**

Draft National Planning Policy Framework (2011)  
RBC Submitted Core Strategy DPD (2010)  
RBC Alterations & Extensions to Residential Properties SPD (2008)

## **5. CONSULTATION RESPONSES**

### LCC (Highways)

No Objections. Request that the applicant contact the street lighting engineer regarding the lamp post to be moved and that the drive be constructed of a bound material so no debris is dragged or washed into the road.

## **6. REPRESENTATIONS**

To accord with the General Development Procedure Order a site notice was posted on 15/09/11 and 17 neighbours were notified by letter on 19/09/11.

Four letters have been received raising the following concerns :

- The design of the extension
- Impact on neighbour sunlight and outlook
- The extension would be unsightly and very imposing
- Maintenance of boundary fence
- Invasion of privacy from the patio and patio doors
- Devalue neighbours property
- It will block out the skyline from neighbours properties

## **7. ASSESSMENT**

The main issues to consider are: 1) Principle; 2) Visual Amenity; 3) Neighbour Amenity; & 4) Access/Parking.

### Principle

The application site is located within the Urban Boundary of Weir and, as such, the proposed development is acceptable in principle.

### Visual Amenity

The proposed extension would not cause a terracing effect as it is to go on the gable of the last property in the row. The design continues the detailing of the existing

property by extending the porch along the front elevation and including dark stone sills to the windows. The extension would be visible in the street-scene but due to the angle of the property in relation to the highway would not be unduly prominent or intrusive.

None of the surrounding properties have double-garages in such a prominent position. However, the garage is of a size and form commonly associated with a modern housing estate and the plot can accommodate it without appearing 'over developed'.

Accordingly the scheme is considered acceptable in terms of visual amenity.

### Neighbour Amenity

Paragraph 2.1 of the RBC Alterations and Extensions to Residential Properties SPD states;

*The separation distances between dwellings is an important consideration to maintain adequate privacy distances and at the same time avoid overbearing relationships and undue loss of light and outlook, as such the Council will seek to ensure that extensions:*

- *Maintain a minimum distance of 13m between a principal window to a habitable room in one property and a two storey blank wall of a neighbouring property*

*The above standards will need to take into account any significant change in levels or new accommodation to be provided at a higher storey which may result in, for example principal windows to a single storey extensions having the same effect as a two storey extension. In this regard there should be an extra 3 metres of separation for each 2.5m or one storey of height difference in each of the above cases.*

Careful consideration is required as to whether the proposed 2-storey extension would cause an unacceptable loss of outlook from / light to 46 and 48 Heald Lane or undue overbearing impact for their occupiers. Based on the drawings submitted the separation distances are acceptable based upon the above guidelines as the nearest property is 15m from the two storey extension. The architect is to provide precise levels to confirm this distance will be acceptable in not unduly affecting neighbouring properties.

The garage would be approximately 13m from the dwelling at 48 Heald Lane. Although the proposed garage would impact upon the outlook at neighbouring properties No.48 and No.50 due to the position of the garage, the existing fence along the boundary as well as the design which has the roof sloping away from these neighbours it is not considered that the garage would be significantly detrimental to neighbour amenity.

### Access/Parking

The proposed garage is large enough to accommodate two vehicles and the driveway would fit a vehicle. LCC Highway Authority has no objections to the

scheme. The scheme is considered acceptable in terms of access and parking.

### **SUMMARY REASON FOR APPROVAL**

The proposed development is appropriate in principle within the Urban Boundary and would not unduly affect visual and neighbour amenity or highway safety. Therefore, it is considered that the proposed development is in accordance with PPS1 / PPS3, Policies DP1-7/EM1 of the Regional Spatial Strategy and Policies DS1/DC1 of the Rossendale District Local Plan.

### **9. CONDITIONS/REASONS:**

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 development shall be carried out in accordance with the drawing named 2010/16-02 and date stamped 12/09/2011, 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 protect visual and neighbour amenity, in accordance with Policy DC1 of the adopted Rossendale District Local Plan.
3. All materials to be used in the elevations and roof of the proposed development shall match in colour, form and texture those of the existing dwelling.  
Reason: To ensure that the development will be of satisfactory appearance, in accordance with Policy DC1 of the adopted Rossendale District Local Plan.
4. The garage hereby permitted shall only be used for purposes incidental to the enjoyment of the dwellinghouse as such, and shall not be used for any trade or business purposes.  
Reason: In the interests of neighbour amenity and highway safety, in accordance with Policy DC1 of the Rossendale District Local Plan.
5. 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 protect the amenities of neighbours, in accordance with Policy DC1 of the Rossendale District Local Plan.