

<b>Application Number:</b>	2014/0237	<b>Application Type:</b>	Full
<b>Proposal:</b>	Demolition of Bungalow and Garage and Construction of Bungalow with Attached Garage (Retrospective)	<b>Location:</b>	10 Kingston Crescent Helmshore Rossendale BB4 4LH
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	22 July 2014
<b>Applicant:</b>	Mr Alan Pilkington	<b>Determination Expiry Date:</b>	05 August 2014
<b>Agent:</b>	Gonshaw Associates		

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<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	<b>YES</b>
<b>Other (please state):</b>	

## 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. RECOMMENDATION

That Committee be minded to grant Permission subject to the Conditions set out in Section 10.

## 2. SITE

The application relates to the site of a recently demolished stone/timber fronted bungalow with a rectangular footprint located to the north side of a turning head on Kingston Crescent. The land is surrounded by residential properties including a red bricked dormer bungalow (No.12) at a slightly lower level to the west and a stone fronted true bungalow (No.8) at a slightly higher level to the east.

The site is raised above the level of the road and slopes upwards to its northern end and downwards to its eastern end. To its north there are a timber panel fence to a height of approximately 1.8m and a variety of shrubs/hedges over 2m high separating the site from the rear elevations of properties on Malvern Way and Gregory Fold. No.6 Malvern way has its rear conservatory facing onto the site and has a timber outbuilding immediately adjacent its boundary. High shrubs and hedging within the site also bound its western edge. The site constitutes brownfield land within the Urban Boundary of Haslingden.

### 3. RELEVANT PLANNING HISTORY

None.

### 4. PROPOSAL

Retrospective planning permission is sought for demolition of the bungalow and the construction of a larger bungalow on the site.

The dimensions of the previous bungalow:

Width – 7m

Length – 12.6m

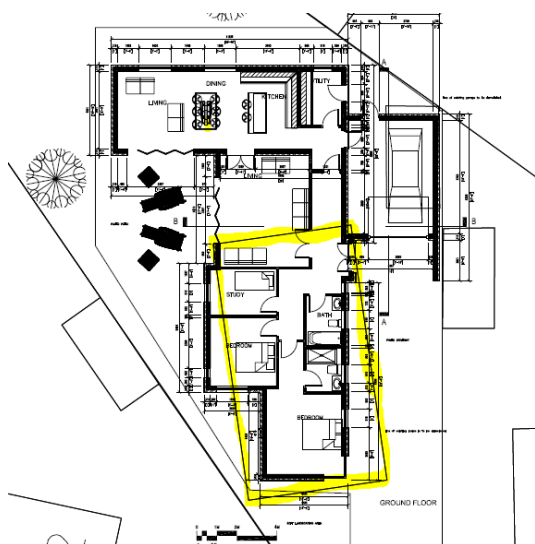
Height to Eaves – 2.7m

Height to Ridge – 4.6m

Setback distance from footway – 10m

The proposed bungalow would have its frontage set back from the original bungalow by 0.5-1m. The building would be irregularly shaped, extending in width as it moves further into the site. A paved driveway would be formed to the east side of the house, extending to an attached garage which would be sited in roughly the same place as the garage of the original bungalow.

A plan has been submitted overlaying the footprint of the original bungalow with that now proposed. I have highlighted the footprint of the original bungalow in yellow:



Width at front – 4.4m

Width to rear 11.8m

Width including attached garage – 16.3m

Length – 20.3m

Eaves Height – 2.2m

Ridge Height – 4.4m (4.7m to the rear)

Following comments received from objectors and a request from the case officer, additional drawings and cross sections have been received.

As stated on the submitted drawings the bungalow would be constructed in brick and render under a tile roof, all to be first agreed with the planning department.

## 5. **POLICY CONTEXT**

### **National**

#### **National Planning Policy Framework (2012)**

- Section 1 Building a Strong Competitive Economy
- Section 4 Promoting Sustainable Transport
- Section 6 Delivering a Wide Choice of High Quality Homes
- Section 7 Requiring Good Design
- Section 8 Promoting Healthy Communities
- Section 10 Meeting the Challenges of Climate Change, Flooding, etc
- Section 11 Conserving and Enhancing the Natural Environment
- Section 12 Conserving and Enhancing the Historic Environment

### **Development Plan Policies**

#### **Rossendale Core Strategy DPD (2011)**

- AVP 6 Haslingden
- Policy 1 General Development Locations and Principles
- Policy 2 Meeting Rossendale's Housing Requirement
- Policy 3 Distribution of Additional Housing
- Policy 4 Affordable & Supported Housing
- Policy 8 Transport
- Policy 9 Accessibility
- Policy 18 Biodiversity and Landscape Conservation
- Policy 19 Climate Change and Low & Zero Carbon Sources of Energy
- Policy 22 Planning Contributions
- Policy 23 Promoting High Quality Design & Spaces
- Policy 24 Planning Application Requirements

## 6. **CONSULTATION RESPONSES**

### **RBC (Environmental Health)**

No objection subject to a condition to limit the hours of construction.

### **LCC (Highways)**

No objection

The proposed three bedroom property would require 2 off street parking spaces and these are provided within the garage and on the driveway. The garage is of adequate size to accommodate a single car with a cycle and equipment.

## 7. **NOTIFICATION RESPONSES**

To accord with the General Development Procedure Order a site notice was posted on 18/06/2014 and 17 letters were sent to neighbours.

Four objections have been received, as summarised below:

- The bungalow has already been demolished and work has been carried out during weekends;

- The bungalow would be too large for the plot and inconsistent in size and height with other properties in the area;
- Materials are not in keeping;
- The bungalow would be quite dominant as in an elevated position;
- The submitted information is not adequate to be able to properly assess its impact on surrounding properties, the properties on Kingston Crescent are the same size and height so if the height of the building is greater then it may overpower.

## 8. ASSESSMENT

The main considerations of the application are:

1) Principle/Housing Policy); 3) Visual Amenity; 4) Neighbour Amenity; 5) Access/Parking;

### Principle

There is no objection in principle to the construction of a replacement dwelling in this location and it would not be contrary to the Council's Housing Policy.

### Visual Amenity

I am satisfied that the height and design of the building would not unduly detract from the character of the area when viewed from Kingston Crescent.

I note that the bungalow would be significantly larger in terms of its footprint than the previous, however, with the bulk of the building to the rear it would not appear unduly large or disproportionate relative to other buildings in the area and ample private amenity space would remain. The materials to be used can be agreed via condition.

The applicant has provided, at the request of the case officer, additional drawings and cross sections in relation to the resulting height of the building and existing/proposed ground levels. The information suggests that the floor level of the bungalow would be no higher than previous and lower to its northern end. Notwithstanding those plans I consider it appropriate to impose a condition to ensure finished floor levels are appropriate given the proximity to neighbouring properties.

Limited information has been provided regarding soft landscaping and there are mature shrubs/plants/hedges within the site and particularly bounding the site to its west and north which I consider it would be desirable to retain. This is a matter which can also be conditioned.

The proposed area for parking is acceptable, the attached garage and driveway would be in roughly the same position as was with the previous bungalow.

Overall I am satisfied that the development would be of a standard of design that would not be detrimental to the visual amenities of the area.

### Neighbour Amenity

I am satisfied that there would be no loss of light, privacy or outlook to No.12 Kingston Crescent due to the siting of the proposed bungalow relative to No.12's orientation, garage on the boundary with the site and existing boundary treatments.

The bungalow would be sited no nearer to No.8 than the previous.

Objections have been raised from properties to the rear of the site, most particularly No.6 Malvern Way. This bungalow has a conservatory to its rear elevation.

The rear roof of the proposed bungalow would slope away from the boundary with No.6 and window heights would not, due to existing boundary treatments, allow for direct overlooking.

I note that ground levels will be lowered to the northern end of the site where there is a boundary with No.6 which would reduce any potential impact. Finished floor levels are to be conditioned to ensure this is the case, and a condition relating to planting will also be imposed which will seek to maintain the planting to this elevation also. The two conditions would ensure that there would not be a detrimental impact on neighbours.

#### Access / Parking

The Highway Authority has not raised an objection to the application and I have no reason to disagree. The scheme is considered acceptable in terms of highway safety.

### **9. SUMMARY REASON FOR APPROVAL**

The scheme is considered acceptable in principle, and subject to conditions would not unduly detract from the visual amenities of the area, neighbour amenity or highway safety. The development is considered acceptable having regard to Sections 1, 6 and 7 of the National Planning Policy Framework (2011), and Policies 1, 2, 3, 8, 23 and 24 of the Council's adopted Core Strategy DPD (2011).

### **10. RECOMMENDATION**

That Committee be minded to grant Permission subject to the Conditions set out below.

#### **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. The development shall be carried out in accordance with the drawings numbered 40150/20, 4150/21, 4150/22, 4150/23, dated as received 10 June 2014 by the Local Planning Authority, unless otherwise required by the conditions below.

Reason: To ensure the development complies with the approved plans and submitted details, in accordance with Policies 1 and 24 of the adopted Core Strategy.

3. No development shall take place until samples of the facing materials to be used in the construction of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, in accordance with Policies 1 and 24 of the Council's adopted Core Strategy.

4. The parking facilities hereby approved shall be constructed with a hard permeable surface ensuring no surface water run-off onto the highway prior to first occupation of the dwelling hereby approved. These areas shall thereafter be kept freely available for use as such, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of pedestrian and highway safety, in accordance with Policies 1 and 24 of the Council's Core Strategy.

5. Prior to construction of the bungalow hereby approved a scheme of landscaping and boundary treatment shall be submitted to the Local Planning Authority to include details of : retaining walls/boundary walls/fences/gates/hard-surfaced external areas; measures for the protection of planting to be retained; the size, siting and species of trees/shrubs to be planted. Any retaining walls/boundary walls/fences/gates/hard-surfaced external areas forming part of the approved scheme shall be completed prior to first occupation of the house hereby approved. Any measures for the protection of planting to be retained forming part of the approved scheme shall be complied with for the duration of ground works / construction works associated with the development. Any planting forming part of the approved scheme shall be carried out in the following planting season and any trees or shrubs removed, dying or becoming seriously damaged or diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size or species, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development will be of satisfactory appearance, in accordance with Policies 1 and 23 of the Council's Core Strategy DPD (November 2011).

6. Notwithstanding what is shown on the approved drawings, no development shall take place until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed house have been submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties and to comply with Policies 1, 23 and 24 of the Council's Core Strategy DPD (November 2011).

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Classes A, B, C, D, E, and G other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To safeguard the character and appearance of the area and the amenities of neighbours, and to comply with Policy 1, 23 and 24 of the Adopted Core Strategy (2011).

8. Any ground / construction works associated with the development hereby approved, including deliveries to the site, shall not take place except between the hours of 8:00am and 6:00pm Monday to Friday and 8:00am and 1:00pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays. Any piling for foundations shall be by the shell-and-auger method, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of neighbours, in accordance with Policies 1 and 24 of the Council's Core Strategy.