

Application Number:	2015/0001	Application Type:	Full
Proposal:	Two storey rear extension to replace existing conservatory	Location:	7 Lower House Green, Water, BB4 9UH
Report of:	Planning Unit Manager	Status:	For publication
Report to:	Development Control Committee	Date:	21 st April 2015
Applicant:	Mr Frank Owen	Determination Expiry Date:	23 rd April 2015
Agent:	Mr Steven Hartley		

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	✓ Cllr Amanda Robertson This is the first application for a 2 storey extension on this row of houses. The next property is at a significantly lower height than the applicant's. It would significantly reduce the amount of daylight to the glass roofed extension next door. The design is overbearing on the neighbour. <i>Clarified by Cllr Robertson that the above statements are only reflecting concerns raised by neighbouring residents.</i>
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. **RECOMMENDATION**

That the Committee approve planning permission for the reasons set out in Section 9.

2. **SITE**

No. 7 Lower House Green is a two storey detached residential property of stone construction with a pitched tiled roof, located on a residential street. It has a private garden area to the rear, beyond which are open fields. The dwelling has an existing brown UPVC conservatory on its rear elevation and there is a single storey stone outbuilding located at the southern end of the rear garden which is fronted by a paved driveway.

The site on which this part of Lower House Green is constructed is sloping from west to east. To the west of the application site is situated the highway (at a higher level), and to the east is No. 6 Lower House Green, a residential property situated at a lower level.

The windows and doors of the property are brown UPVC units. Neighbouring properties are of similar construction but with varied designs.

The application site lies within the designated Urban Boundary.

3. **RELEVANT PLANNING HISTORY**

None

4. **PROPOSAL**

The applicant seeks permission to construct a two storey rear extension in place of the existing conservatory, in order to provide additional dining space on the ground floor, and enlarged bedroom space at first floor level.

Initially, plans were submitted for a larger extension which would have extended across the full width of the dwelling (around 5.6m), projected by 4.3m from the main dwelling, and had a pitched roof. However, following discussions between the case officer and the applicant's agent in light of the case officer's concerns and objections received, revised plans for a smaller extension with an amended design have been submitted.

The proposed extension as amended would now project by around 3.5m from the main dwelling, and would be around 4.3m wide. This revised width means that the extension would be set back by 1.0m from the east side elevation of the dwelling, and would be set back by 0.3m from the west side elevation of the dwelling.

The eaves height of the proposed extension would match that of the main dwelling, and it would have a ridge height of around 6.4m (around 0.6m lower than that of the main dwelling).

The revised plans include a hipped roof design. The angle of the hipped part of the roof would match the pitch angle of the existing dwelling's roof.

The extension would have a set of four bi-folding patio doors at ground floor level on its rear elevation, with a single three-light window above at first floor level. No windows or doors are proposed on the side elevations of the extension but the scheme does include the insertion

of two obscure-glazed single-light windows in the first floor west elevation of the existing dwelling.

In order to provide access to the upper floor of the extension from within the existing dwelling, the revised plans include a cantilevered link which would adjoin the main dwelling and the extension at first floor level on its east side. The cantilevered link would project by approximately 1.0m and would be 1.0m wide, fitting flush with the east gable elevation of the main dwelling.

The extension would be constructed of artificial stone and would have a tiled roof to match the existing dwelling. The cantilevered link would be constructed of aluminium, powder coated in a colour to match the existing stonework of the dwelling. The roof of the link would be flat.

5. POLICY CONTEXT

National

National Planning Policy Framework (2012)

Section 6 Delivering a Wide Choice of High Quality Homes

Section 7 Requiring Good Design

Development Plan Policies

Rossendale Core Strategy DPD (2011)

AVP 3 Waterfoot, Lumb, Cowpe and Water

Policy 1 General Development Locations and Principles

Policy 23 Promoting High Quality Designed Spaces

Policy 24 Planning Application Requirements

Other Material Planning Policy Considerations

RBC Alterations and Extensions to Residential Properties SPD (2008)

6. CONSULTATION RESPONSES

LCC Highways

No comments have been received.

7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order 6 notification letters were sent to neighbouring properties on 26/02/2015. A site notice was also posted on 27/02/2015.

Two objections have been received on the following grounds:

- The proposed extension would significantly reduce the daylight received by the neighbouring property at No. 6 Lower House Green (particularly overshadowing the kitchen and conservatory of this property).
- The proposed extension would be overbearing when viewed from the neighbouring property at No. 6 Lower House Green, exacerbated by the difference in ground levels.
- The proposed extension would have a stark appearance and would negatively impact on outlook from neighbouring properties.
- Concerns over health and safety risks during the construction stage given the close proximity of the proposed extension to the boundary with other residential properties.

- The proposed extension would have a detrimental impact on the outlook from and daylight received by the residential property at No. 27 Lower House Green.

8. ASSESSMENT

The main considerations of the application are:

1) Principle; 2) Visual Amenity; 3) Neighbour Amenity; 4) Access

Principle

The application site lies within the designated Urban Boundary, and as such the development is appropriate in principle.

Visual Amenity

The amended plans show that the extension would be set back from the west gable elevation of the main dwelling, preventing the extension appearing unduly dominant when viewed from the street scene.

The height of the proposed extension would be around 0.6m lower than that of the main dwelling, further emphasising its subservience. The amended plans include a hipped roof design in place of the pitched roof design which was originally submitted. The change to a hipped roof would reduce the profile of the extension when viewed from either side, and the angle of the proposed hipped roof would match the angle of the existing dwelling's roof. As such the design of the proposed roof would be in keeping with the appearance of the main dwelling.

The proposed cantilevered link would feature a flat roof and would have a somewhat box-like appearance. However, given its relatively small scale (1.0m x 1.0m x 2.3m high), siting and proposed colour (stone colour to match the existing dwelling) it would not be unduly prominent from any public vantage points and it is not considered that a refusal of the application could be substantiated on the grounds that the link would cause significant harm to visual amenity.

The scale of the proposed extension is not considered to be excessive, and the scheme would not significantly reduce the amount of private garden / amenity space at the property.

The proposed materials are acceptable, and would closely match the main dwelling. The design of the proposed extension is considered to be sympathetic to that of the original dwelling and its surroundings, in line with the guidance in the Council's Alterations and Extensions SPD and Policies 23 and 24 of the Core Strategy DPD.

As such, the scheme is considered acceptable in terms of visual amenity.

Neighbour Amenity

Amended plans have been received detailing a reduction in the footprint and scale of the proposed extension, in order to address concerns raised both by the case officer and in objections received by the Council. In its original form, it was considered that the proposed extension would have an overbearing impact on the neighbouring property at No. 6 Lower House Green by virtue of the degree of its projection from the main dwelling, the height of

its pitched roof and the fact that its east side elevation would have been sited only around 0.8m from the property boundary.

The amended design includes a reduction of around 0.8m in the projection of the proposed extension and a reduction in its width by around 1.3m. The revised plans show that the extension would now be set back by 1.0m from the east gable elevation of the main dwelling (so around 1.8m from the boundary with No. 6). It also includes a hipped, as opposed to pitched, roof design.

It is acknowledged that the level of the applicant's property is somewhat higher than that of the neighbouring property at No. 6. However, it is considered that given the reduced scale of the proposed extension, the set-back distance of 1.8m from the property boundary with No. 6 and given the reduced profile of the extension brought about by the introduction of a hipped roof design, the outlook and daylight enjoyed by the occupants of No. 6 would not be caused significant harm to warrant refusal of the application.

Furthermore, the proposed extension would be sited almost directly to the west of the windows and conservatory on the rear elevation of No. 6 – as such, this orientation would mean that any impact on the daylight received by that property would normally only be felt in the late afternoon or evening throughout most of the year.

The impact of the proposed cantilevered link on the outlook and daylight enjoyed by residents at No. 6 would be minimal given its small scale and its siting.

The proposed extension would be separated by at least 13m from other properties to the west on Lower House Green (such as Nos. 25, 27 and 29). This separation distance is in line with the guidance on separation distances in Section 2.1 of the Council's Alterations and Extensions to Residential Properties SPD which recommends that a distance of 13m is maintained between a principal window to a habitable room in one property and a two storey blank wall of a neighbouring property. Furthermore the properties to the west of the application site are at a higher level, which would further reduce any impact on the daylight or outlook enjoyed by residents of those properties.

No windows are proposed on the side elevations of the extension. Two new windows are proposed on the first floor west side elevation of the existing dwelling, however these windows would be obscure-glazed and as such it is not considered that they would result in a detrimental impact on the privacy of residents at Nos. 25, 27 and 29 which are located at least 13m away across the highway to the west.

One representation received by the Council raises concerns over the safety of the proposed development due to the proximity to neighbouring property boundaries. It is not considered that this issue is relevant to the determination of the planning application; rather it would be addressed at a later stage by either the Council's Building Control service (or an Approved Inspector) or by the Health & Safety Executive if there is a concern over site safety.

In light of the proximity of the proposed development to neighbouring residential properties it is however considered appropriate to impose a condition restricting the hours of construction.

Subject to the above condition, it is considered that the scheme is acceptable in terms of neighbour amenity.

Access / Highway Safety

The scheme would not increase the number of bedrooms at the property, nor would it affect the amount of off-street car parking available.

It is considered that the proposed development is acceptable in terms of access / highway safety.

9. SUMMARY REASON FOR APPROVAL

The proposed development is appropriate in principle within 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 Sections 6 and 7 of the National Planning Policy Framework, Policies 1, 23 and 24 of the adopted Core Strategy DPD, and the Council's Alterations & Extensions to Residential Properties SPD (June 2008).

10. RECOMMENDATION

That the application be approved.

11. 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 development shall be carried out in accordance with the amended drawing (Drg. No. 'Frank Owen 03-04-15' received on 3rd April 2015 by the Local Planning Authority).
Reason: To ensure the development complies with the approved plans, in accordance with Policies 1 and 24 of the adopted Core Strategy DPD.
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted (including those used in the window and door units) shall match those used in the construction of the existing dwelling.
Reason: In the interests of visual amenity, in accordance with Policies 1 and 24 of the adopted Core Strategy DPD.
4. The materials to be used in the construction of the external surfaces of the cantilevered link at first floor level shall match in colour (or shall be painted to match) the stone used in the construction of the existing dwelling.
Reason: In the interests of visual amenity, in accordance with Policies 1 and 24 of the adopted Core Strategy DPD.
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 safeguard the amenities of neighbours, in accordance with Policy 24 of the adopted Core Strategy DPD.

Note for Applicant

- 1) The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.