

Application Number:	2015/0450	Application Type:	Householder
Proposal:	Front, side and rear single storey extension.	Location:	9 Holden Place, Haslingden, BB4 4PU.
Report of:	Planning Unit Manager.	Status:	For publication.
Report to:	Development Control Committee.	Date:	23 rd February, 2016
Applicant:	Mr L Bottomley	Determination Expiry Date:	25.1.2016
Agent:	Mr D Holt		

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	3 objections received/recommending approval.
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

The application site comprises of an end terrace property within a contemporary residential estate. The plot includes a garden and large area of gravel hard standing to the front, the latter passing the property's gable elevation, with a garden to the rear. Side and rear boundaries are marked by 1.5m/1.8m/2m high wood panel fencing. The rear boundary is screened by several deciduous trees.

Properties within the estate have had their permitted development rights regarding householder extensions removed as per the original estate's grant of planning permission (reference 1998/449).

3. RELEVANT PLANNING HISTORY

1998/449: Proposed residential development of 17 dwellings comprising 5 No. 2 bed dwellings and 12 No. 3 bed dwellings. Approved March 1998.

4. PROPOSAL

The applicant proposes to erect a single storey front, side and rear extension to accommodate a porch to the front; a garage, store room, WC and extended kitchen to the side, and a sun lounge to the rear. The extension would have a mono-pitch/hipped roof with 2 roof lights in its side facing roof slope. The development would introduce front and 'up and over' garage doors, a side (north-east) facing WC window, a side (south-west) facing porch window and sun lounge glazed double door, and a rear facing sun lounge window.

5. POLICY CONTEXT

National

National Planning Policy Framework

National Planning Practice Guidance

Development Plan Policies

Rossendale Core Strategy DPD (2011)

AVP 6 Strategy for Haslingden and Rising Bridge;
Policy 1 General Development Locations and Principles;
Policy 23 Promoting High Quality Design & Spaces;
Policy 24 Planning Application Requirements.

Other Material Planning Considerations

RBC Alterations & Extensions to Residential Properties SPD (2008).

6. CONSULTATION RESPONSES

Highways: No objection.

7. NOTIFICATION RESPONSES

9 neighbour letters were posted and a site notice displayed.

3 letters of objection have been received from the occupants of properties to the north-east whose ground floor rear facing windows would face the proposed side extension's side wall. These neighbouring occupiers object on the grounds that the proposed side extension would have an unacceptable amenity impact on their rear facing ground floor habitable room windows, and their back gardens, through restricted daylight. The proposal's amenity impacts are considered below.

These letters of objection also allege the applicant would require permission from the original owners, the Housing Association, to carry out the development. It is noted the applicant has completed Certificate A of their application form which states they own all of the land which would be impacted by the proposed development and the LPA has no reason to dispute this. The applicant's property may be subject to a restrictive covenant, however this is a private legal matter and therefore not the LPA's concern.

8. ASSESSMENT

The main considerations of the application are:

1) Principle; 2) Design/Visual Amenity; 3) Neighbour Amenity; and 4) Access/Parking.

Principle

This proposed extension to a residential property within the Urban Boundary is considered to be acceptable in principle.

Visual Amenity

The extension would be partly visible within the street scene, being located to the side of the property. The development would be acceptable with reference to the original property in terms of its detailing and roof design, and would not represent an overdevelopment of the plot.

Whilst the proposed front element would project beyond the property's principal elevation, it is noted that the adjacent properties to the south-west on the same side of Holden Place as the applicant's (Nos. 11 and 12 Holden Place) have single storey front elements. Therefore this element would not undermine the building line at this point.

The proposed development would comply with Core Strategy Policies 1, 23 and 24, and the Residential Alterations and Extensions SPD regarding visual amenity.

Neighbour Amenity

The development would introduce a rear facing habitable room window, however this would not directly face any neighbouring habitable room windows/openings, being 7m from the rear boundary which is marked by a 1.8m high fence and trees/vegetation which would provide acceptable privacy screening.

The single storey rear element would also introduce a set of side facing glazed double doors. These would be 5.2m from the common boundary with the adjoining property, the common boundary being marked by 1.5m high solid wood panel fencing, which would be acceptable.

The single storey rear element would not project beyond a 45 degree line drawn from the centre point of the adjoining property's (No. 10 Holden Place) closest rear facing habitable room window.

The development would introduce a single storey side wall which would be directly faced by the ground floor habitable room windows of the adjacent properties to the north-east (Nos. 5 to 7 Holden Place), and it is noted that this element is the subject of letters of objection from each of these properties on the grounds that it would unacceptably restrict light

received by their rear facing ground floor habitable room windows. However it is noted that the separation distance between the proposed side wall and these neighbouring windows would exceed the 6.5m minimum set down in paragraph 2.1 of the Residential Extensions SPD, this paragraph seeking to ensure an adequate outlook (including access to light) from such windows, with these views further screened by a 1.8m high wood panel fence.

It is also noted that these neighbouring occupants object on the grounds that the proposed side element would unacceptably limit the light received by their back gardens, which are immediately to the north of this proposed element. It is not accepted that the proposed side extension would have an unacceptable overshadowing impact on these neighbouring back gardens. It is considered that the applicant's current 2 storey gable element has a greater potential for an overshadowing impact than the proposed side extension which would be single storey and have a hipped roof to reduce its overbearing impact.

The proposed development would comply with Core Strategy Policies 1, 23 and 24, and the Residential Alterations and Extensions SPD with reference to neighbour amenity.

Access/Parking

The proposed development would not result in an increased number of bedrooms, however the extension would part occupy the current area of hard standing to the front/side of the property, with the new garage measuring 4.2m by 2.7m which could not accommodate a parked car. Post development the property would maintain an area of hard standing exceeding the 6m by 3m minimum.

The proposed development would comply with Core Strategy Policy 24 and the Residential Alterations and Extensions SPD with reference to access/parking.

9. SUMMARY REASON FOR APPROVAL

The proposed development comprises the extension of a dwelling within the Urban Boundary, which is acceptable in principle. The proposal is acceptable with regards to its visual amenity, neighbour amenity and parking/access impacts. It is considered that the proposed development accords with Policies AVP 6, 1, 23 and 24 of the Council's Core Strategy, the Alterations & Extensions to Residential Properties SPD (2008) and the National Planning Policy Framework.

10. RECOMMENDATION

That the application be approved subject to conditions.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. The development shall be carried out in accordance with the following unless otherwise required by the conditions below:

Proposed Plans and Elevations, received 27 October 2015;

Proposed South-West Elevation, received 24 November 2015;

Proposed Block Plan, received 27 October 2015; and

Proposed Roof Plan, received 27 October 2015.

Reason: To ensure the development complies with the approved plans and avoids undue harm to visual or neighbour amenity, in accordance with Policy 24 of the Adopted Core Strategy (2011).

INFORMATIVE NOTES

1. Standard approval informative.
2. Coal Low Risk.