

<b>Application Number:</b>	2017/0196	<b>Application Type:</b>	Householder
<b>Proposal:</b>	Householder: Single storey rear extension (part retrospective) and boundary treatment to rear garden.	<b>Location:</b>	1 Sunnyside Close Reeds Holme Rossendale BB4 8PE
<b>Report of:</b>	Planning Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	21/06/2017
<b>Applicant:</b>	Mr Nick Pritchard	<b>Determination Expiry Date:</b>	23/06/2017
<b>Agent:</b>	Mr Ben Edmondson		

<b>Contact Officer:</b>	<b>Anna Hayes</b>	<b>Telephone:</b>	<b>01706 238625</b>
<b>Email:</b>	<b>planning@rossendalebc.gov.uk</b>		

<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>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

Grant planning permission subject to the conditions.

## APPLICATION DETAILS

### 2. SITE

The site comprises of a large detached dwellinghouse located on the corner of Sunnyside Close in Reeds Holme. The dwelling has a single storey extension attached to its east side elevation with an integral garage to the front elevation. It is constructed from facing brick with interlocking

Version Number:	1	Page:	1 of 6
-----------------	---	-------	--------

concrete roof tiles. The property has a driveway and a lawned garden to the front with a private garden to the rear.

The dwelling is surrounded by large detached properties on all sides, with a small turning head to the rear and east. Two mature trees are located adjacent to the site beyond the rear boundary.

The site is located within the designated Urban Boundary. The property is not listed and it is not within a conservation area.

### **3. RELEVANT PLANNING HISTORY**

**87/130          Extension to side of house to form extra accommodation**  
Approved 01 May 1987

### **4. PROPOSAL**

Part-retrospective planning permission is sought for the erection of a single storey lean-to extension to the rear elevation of the dwellinghouse. The application has been submitted as a result of a complaint to the Planning Enforcement Team. The development was found not to be permitted development by reason of it being attached to the previous extension, extending beyond a wall forming the side elevation of the original dwellinghouse and having a width greater than half the width of the original dwellinghouse. Therefore the Planning Enforcement Team invited an application for planning permission.

The extension provides additional ground floor living space to the existing kitchen. The extension projects beyond the rear elevation of the original rear wall by 2.715m flush with the rear elevation of the existing side extension. To the west elevation, the extension is flush with the original side wall.

The extension has been constructed using facing brick and is to have interlocking concrete roof tiles to match the main roof.

A scheme of boundary treatment and planting has been submitted at the request of Officers, including boundary fencing and evergreen planting.

### **5. POLICY CONTEXT**

#### **National**

National Planning Policy Framework (2012)

Core Planning Principles (paragraph 17)  
Section 7 Requiring Good Design

#### **Development Plan Policies**

Rossendale Core Strategy DPD (2011)

AVP 4          Rawtenstall, Crawshawbooth, Goodshaw and Loveclough  
Policy 1          General Development Locations and Principles  
Policy 18          Biodiversity, Geodiversity and Landscape Conservation  
Policy 23          Promoting High Quality Design and Spaces

## **Other Material Considerations**

RBC Alterations & Extensions to Residential Properties SPD (2008)

### **6. CONSULTATION RESPONSES**

N/A

### **7. REPRESENTATIONS**

To accord with the General Development Procedure Order, 5 no. neighbours were initially notified by letter on 20/04/2016. Following amendments to the proposed boundary treatment, neighbours were re-consulted on 02/06/2017.

Three letters of objection were received during the consultation periods. The comments received are summarised below:

- Extension significantly increases the footprint of the property – overly large for the site;
- Extension is obtrusive and not in keeping with the surrounding properties;
- The plans are incorrect and do not show the additional downstairs toilet facilities;
- Poor matching brickwork.
- Damage to existing boundary treatment between No.1 Sunnyside Close and Nos. 15 and 17 Crawshaw Drive including: loss of trees on site and adjacent to, undermining tree stability, creation of trenches between boundaries.
- Significant disturbances during building work and inappropriate times of day including, noise, traffic and fires

### **8. REPORT**

The main considerations of the application are:

1) Principle; 2) Visual Amenity 3) Neighbour Amenity; & 4) Access, Parking and Highway Safety

#### **Principle**

Policy 1 of the Core Strategy directs new development to the Urban Boundary. As the application site is located within the Urban Boundary of Rawtenstall, the proposed extension is therefore acceptable in principle.

#### **Visual Amenity**

The extension would project beyond the rear elevation by 2.715m and extend 7.877m in width, flush to the existing side extension. Paragraph 3.2 of the Alterations and Extensions to Residential Properties SPD which relates to single storey rear extensions states that “where the proposed extension would be on or within 1m of the party boundary of an adjacent property it should not normally project in excess of 3m beyond the rear wall of that property”. Therefore, the extension is considered acceptable in this regard. Furthermore, owing to the small projection from the rear elevation the extension would not unduly dominate the rear elevation of the property.

Whilst the extension does increase the footprint of the building, this is not considered to be harmful to the character of the host dwelling. The extension also incorporates a mono-pitched roof

blending well with the existing single storey side extension. The development would be partly visible within the street scene above the proposed boundary fencing however is not considered to be detrimental to the visual quality or character of the street scene.

A scheme of additional planting and boundary treatment was submitted to the Local Planning Authority at the request of Officers (drawing number 2017/32-05 rev C) both in the interests of biodiversity and visual amenity. The scheme is considered to be acceptable subject to the use of a planning condition securing the implementation of these details.

The de-stabilisation of trees outside of the site boundaries which arose due to poor construction practices is a private matter.

Overall, subject to conditions the extension is compliant with Policies 23 and 24 of the adopted Core Strategy DPD and the Alterations and Extensions to Residential Properties SPD.

### Neighbour Amenity

The Residential Extensions SPD Section 2 states that extensions will not normally be permitted unless they:

- *Do not invade privacy through direct overlooking from windows or balconies;*
- *Does not significantly reduce the amount of usable amenity space for the property or an adjacent property to an unacceptable degree;*
- *Does not significantly harm the outlook of neighbouring properties.*

Objections have been received from members of the public and the material planning considerations are considered below.

Further to discussions between the case officer and the applicant's agent, several amendments to the boundary treatment have been made in an attempt to address some of the concerns over potential harm to neighbour amenity. Officers are satisfied that the proposed close boarded timber/concrete panel fencing to the rear and side boundaries as shown on drawing number 2017/32-05 rev C, would prevent any undue levels of overlooking and loss of privacy. Officers are satisfied that there would be no direct overlooking as a result of the development as there are no windows to the side elevation of the extension facing the neighbour No.17 Crawshaw Drive. However, it is considered necessary to attach a condition to prevent any future installation of windows and doors to the side elevation of the extension.

The extension would not significantly reduce the amount of useable amenity space for the property and post development the rear garden would measure approximately 15.5m x 8m which is considered acceptable.

The SPD recommends a separation distance of 6.5m between a principal window to a habitable room in one property and a single storey blank wall of a neighbouring property. The side elevation of the proposed extension is flush with the existing side elevation and is some 8.2m away from the closest neighbouring property No. 17 Crawshaw Drive, which is set approximately 1.7m on lower ground. Taking into account ground level differences, the proposed extension is acceptable with regards to separation distances. Moreover, given that the extension projects less than 3m from the rear elevation and is flush with the original side wall, officers are satisfied that the extension would not have a detrimental, significant overbearing impact or result in loss of light on any of the neighbours, compliant with paragraph 3.2 of the Alterations and Extensions to Residential Properties SPD.

Disturbance during construction was an objection received during the consultation period. To safeguard the remainder of the construction process, it is considered necessary to attach a condition restricting the hours of construction.

It is also noted that fires on site during the construction process was raised as a concern, however this is a matter for the Environmental Health department and not for the Planning department.

Overall, subject to conditions to implement the boundary treatment and to restrict the installation of windows to the side elevation, the scheme is considered to be acceptable with regards to neighbour amenity and complies with Policies 23 and 24 of the Core Strategy DPD, and the Alterations and Extensions to Residential Properties SPD.

#### Access, Parking and Highway Safety

The scheme would have no such impact on the existing parking arrangements and is therefore considered to be acceptable with regards to highway safety.

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

The proposed development is appropriate within the Urban Boundary and it is considered that the scheme would not unduly detract from visual and neighbour amenity, or highway safety subject to conditions. It is considered that the development is in accordance with the National Planning Policy Framework and Policies 1, 18, 23, 24 and AVP4 of the adopted Core Strategy DPD, and the Alterations and Extensions to Residential Properties SPD.

### **10. CONDITIONS**

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

- Amended Application Form received 11<sup>th</sup> May 2017 by the Local Planning Authority.
- Site location plan date stamped 19<sup>th</sup> April 2017 by the Local Planning Authority.
- Proposed site plan drawing number 2017/32-05 rev C.
- Existing and proposed plans and elevations 2017/32-04 rev B.

Reason: To define the permission and in the interests of the proper development of the site.

2. 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.

3. The boundary treatment as shown on the approved drawing number 2017/32-05 rev C shall be implemented within 3 months from the date of this decision. This comprises the timber fence panels with concrete posts and planting of evergreen trees to the locations shown on the approved plan. The boundary fencing shall be retained as approved thereafter. Any trees or plants which within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of biodiversity and to safeguard the amenities of neighbours.

4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (as amended) (or any revoking and re-enacting that Order with or without modification) upon the grant of this planning permission no windows or doors shall be inserted to the side (west) elevation of the extension hereby approved.

Reason: To ensure that the proposal does not harm the privacy of neighbouring properties.

5. The materials used in the construction of the external surfaces of the extensions hereby permitted shall match those of the existing dwelling.

Reason: In the interests of visual amenity.

## **11. INFORMATIVES**

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at:  
[http://www.rossendale.gov.uk/downloads/download/331/core\\_strategy\\_local\\_plan\\_part\\_1\\_adopted](http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_adopted)

The Council operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage. In this case the applicant did not engage in pre-application discussions.

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.

2. The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:
  1. work on an existing wall shared with another property;
  2. Building on the boundary with a neighbouring property;
  3. Excavating near a neighbouring building, and that work falls within the scope of the Act.

Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

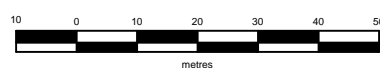
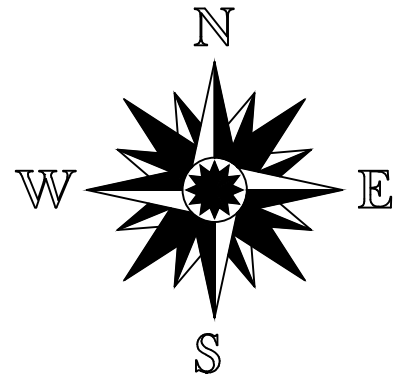
"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:  
<https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>

Project: 1 Sunnyside Close, Reedsholme, Rossendale BB4 8PE

Project No.: 2017-32

Title: OS Site Plan

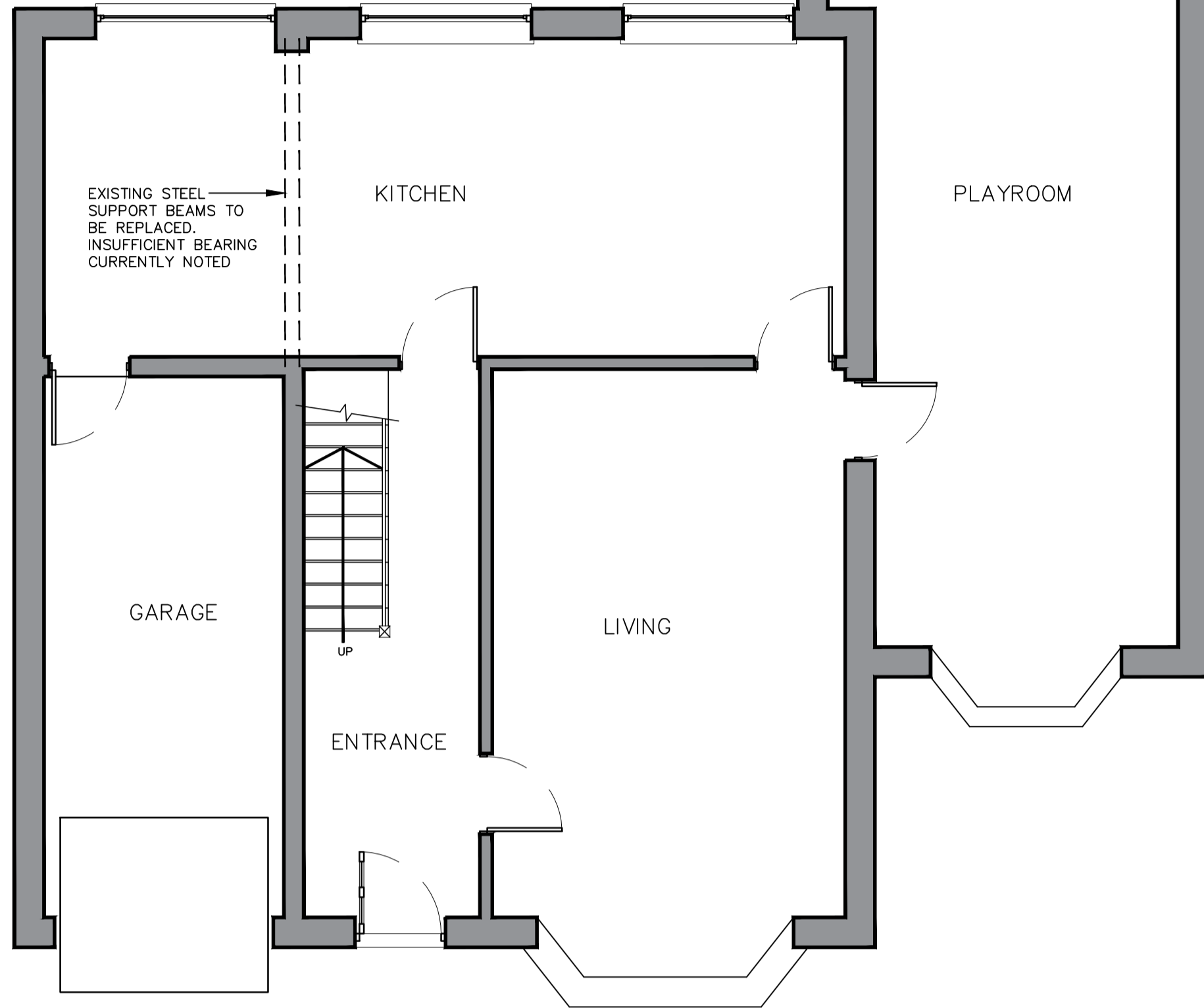
Scale: 1:1250@A4



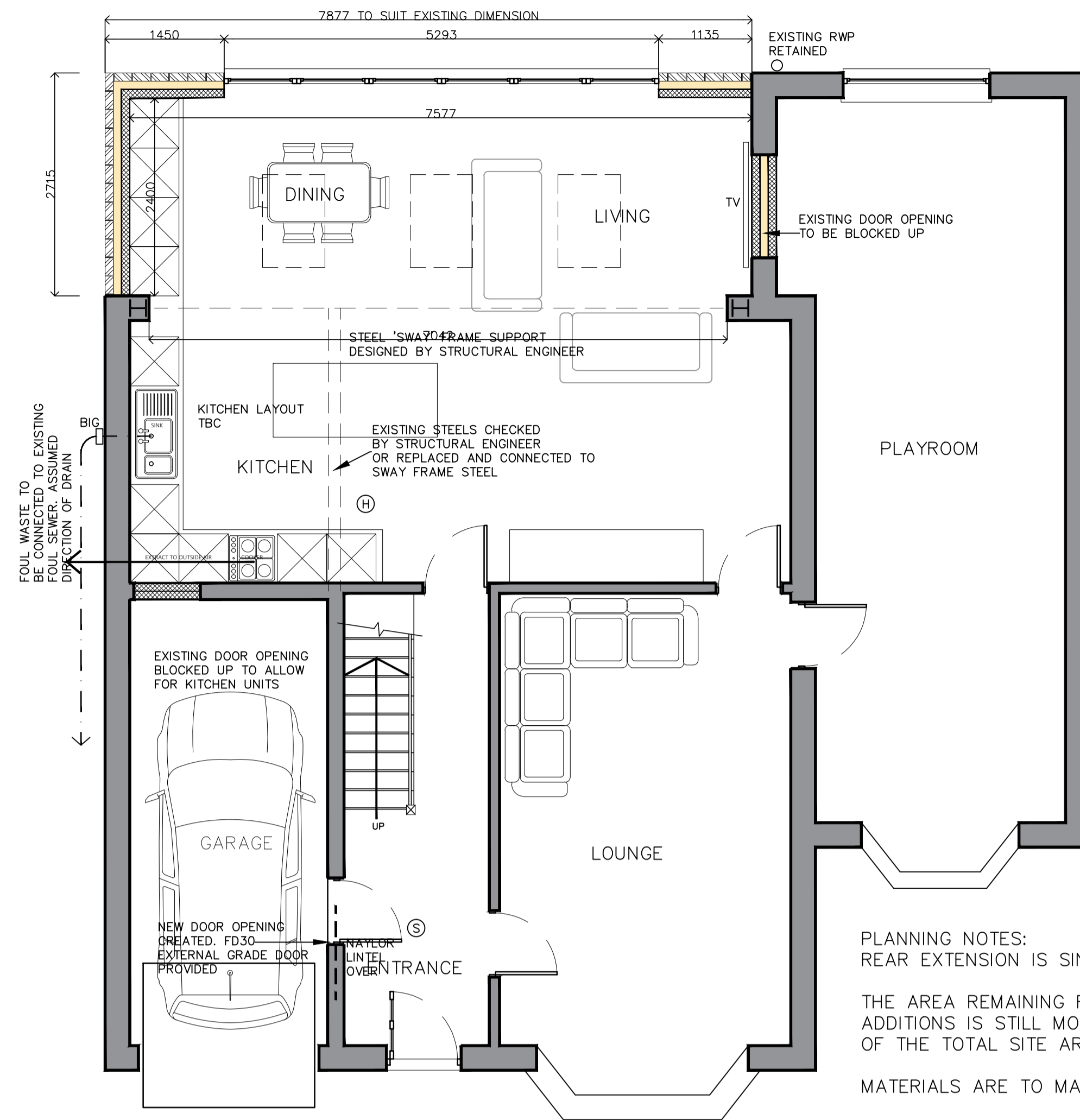
20 Fernhill Drive  
Stacksteads, Bacup  
Lancashire  
OL13 8JS  
mob: 07528809176  
tel 01706 870944  
e: ben@eds20.co.uk



EXISTING BUILDING HAS BEEN STRIPPED THEREFORE FIXTURES AND FITTINGS NOT INDICATED



EXISTING GROUND FLOOR PLAN (1:50)



PROPOSED GROUND FLOOR PLAN (1:50)

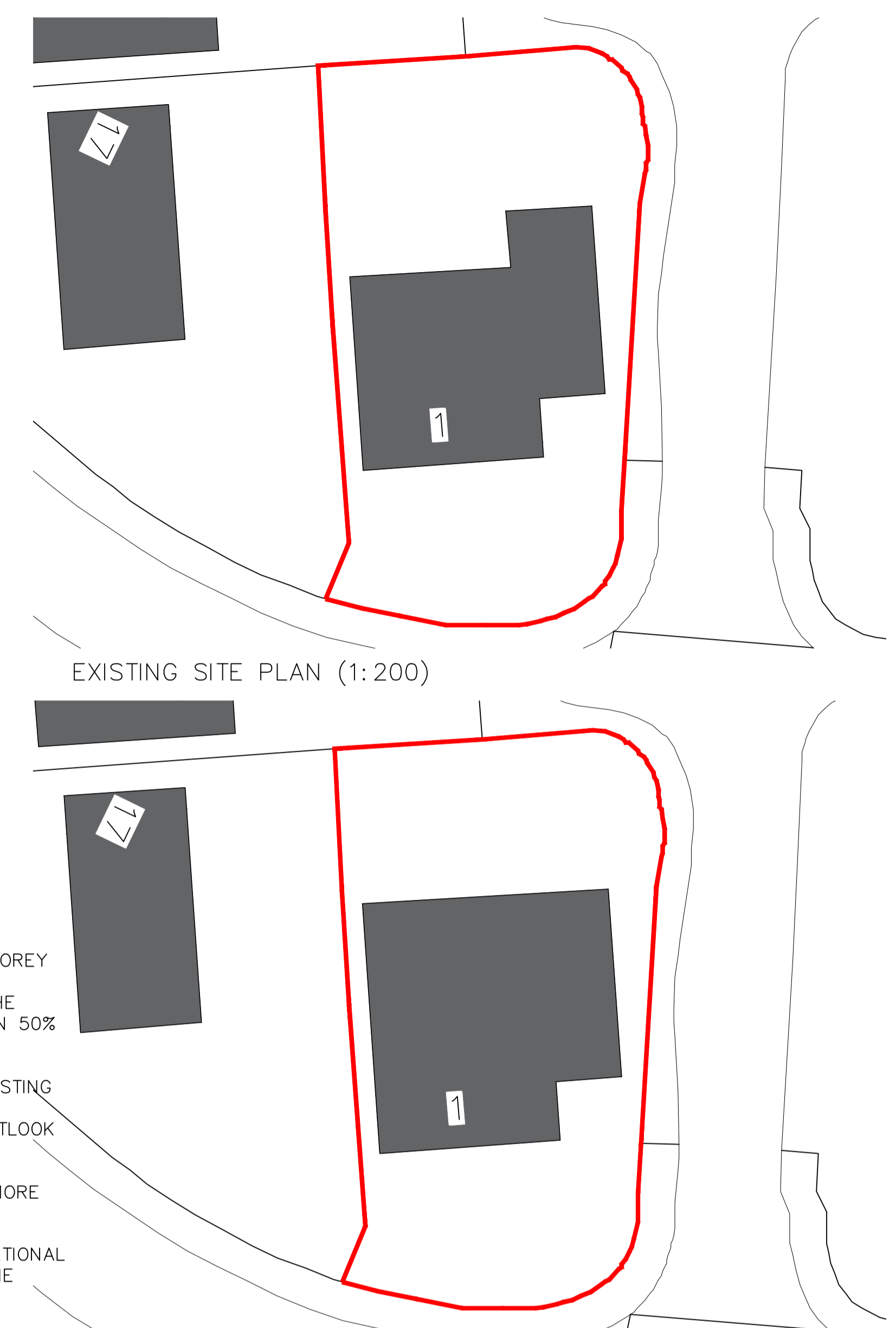
PLANNING NOTES:  
REAR EXTENSION IS SINGLE STOREY

THE AREA REMAINING FROM THE ADDITIONS IS STILL MORE THAN 50% OF THE TOTAL SITE AREA

MATERIALS ARE TO MATCH EXISTING  
NO IMPACT ON NEIGHBORS OUTLOOK OR PRIVACY

SEPARATION DISTANCES ARE MORE THAN 7M

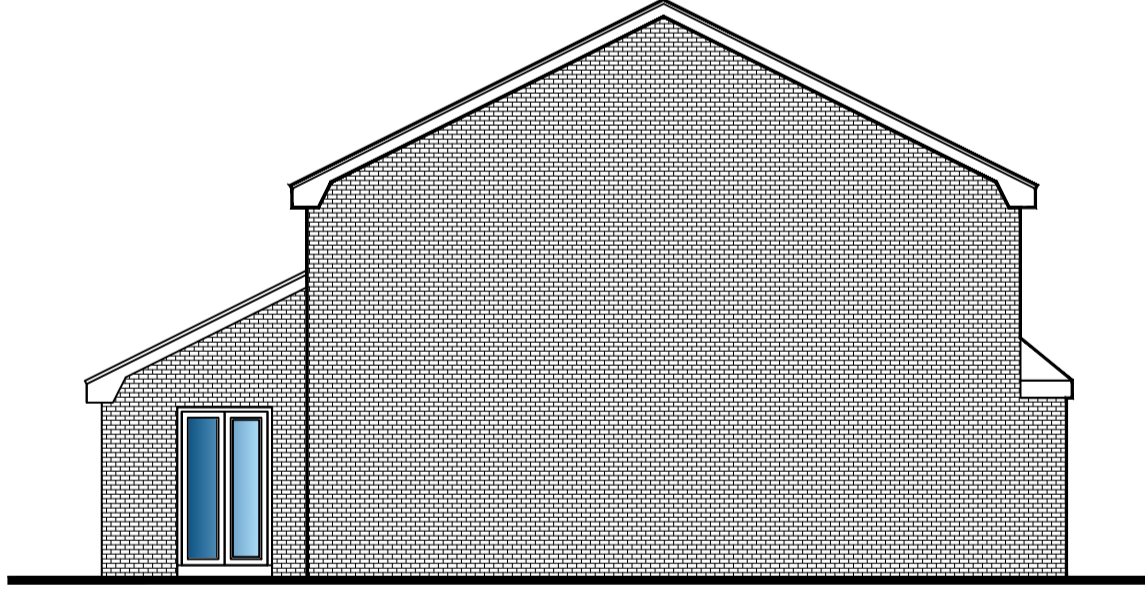
ACCORDS WITH LOCAL AND NATIONAL POLICY FOR EXTENSIONS IN THE URBAN BOUNDARY



PROPOSED SITE PLAN (1:200)



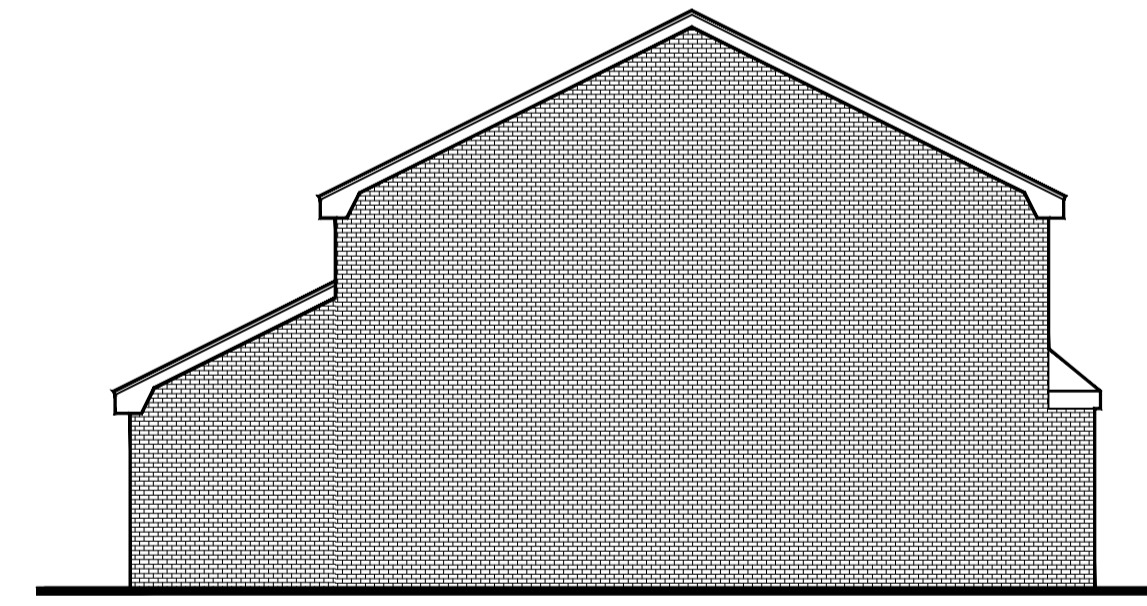
EXISTING FRONT ELEVATION (1:100)



EXISTING GABLE ELEVATION (1:100)



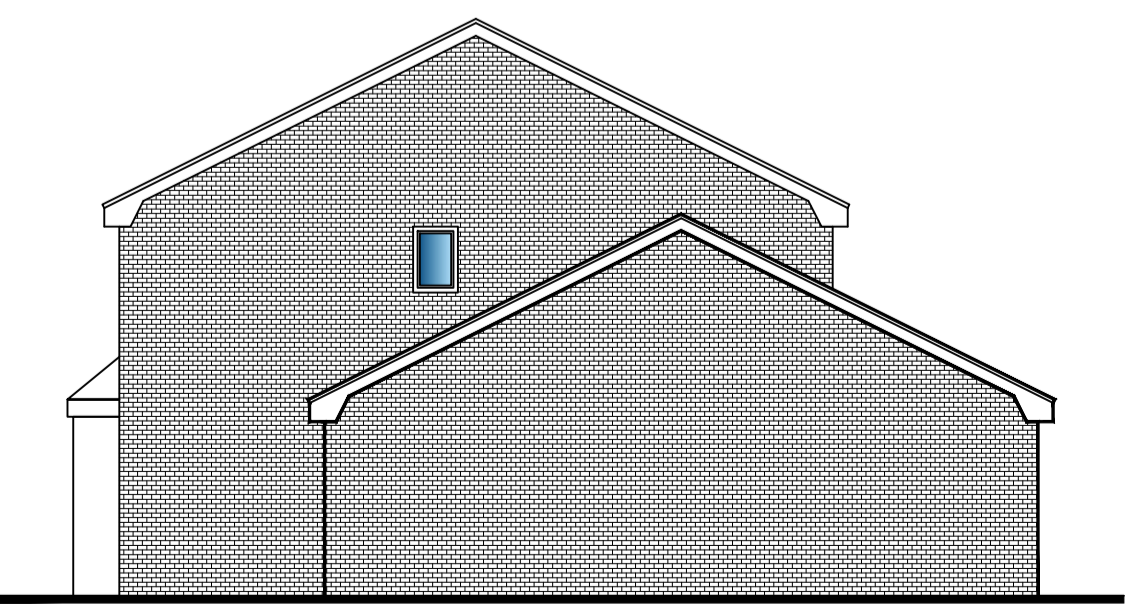
PROPOSED FRONT ELEVATION (1:100)  
NO CHANGE TO EXISTING



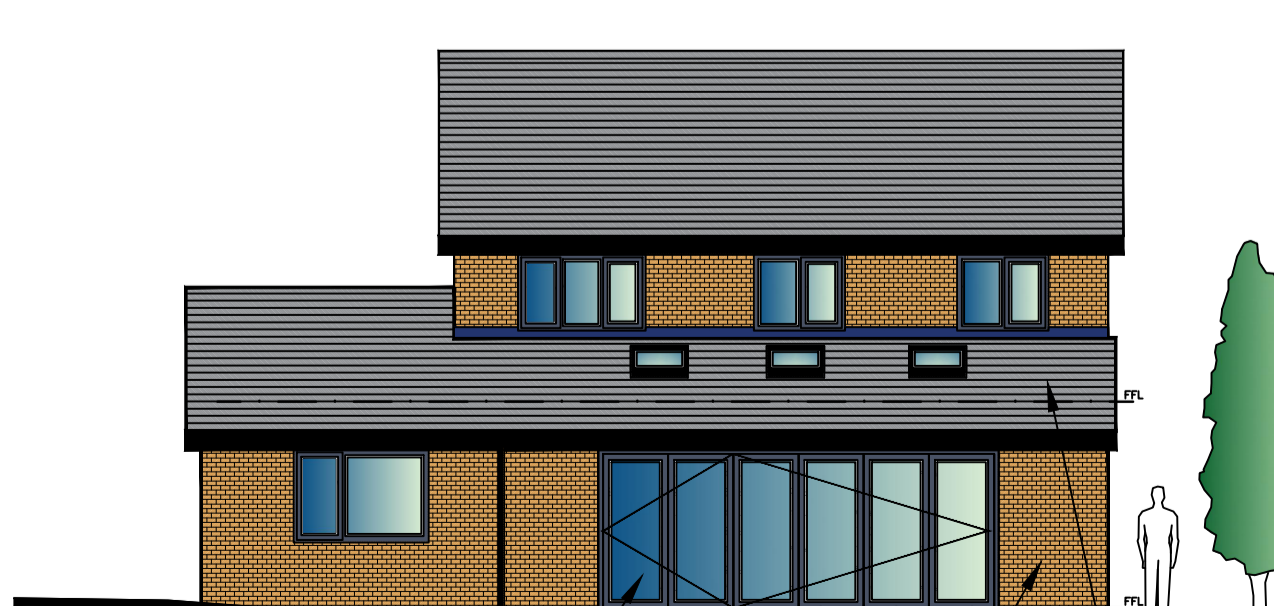
PROPOSED GABLE ELEVATION (1:100)



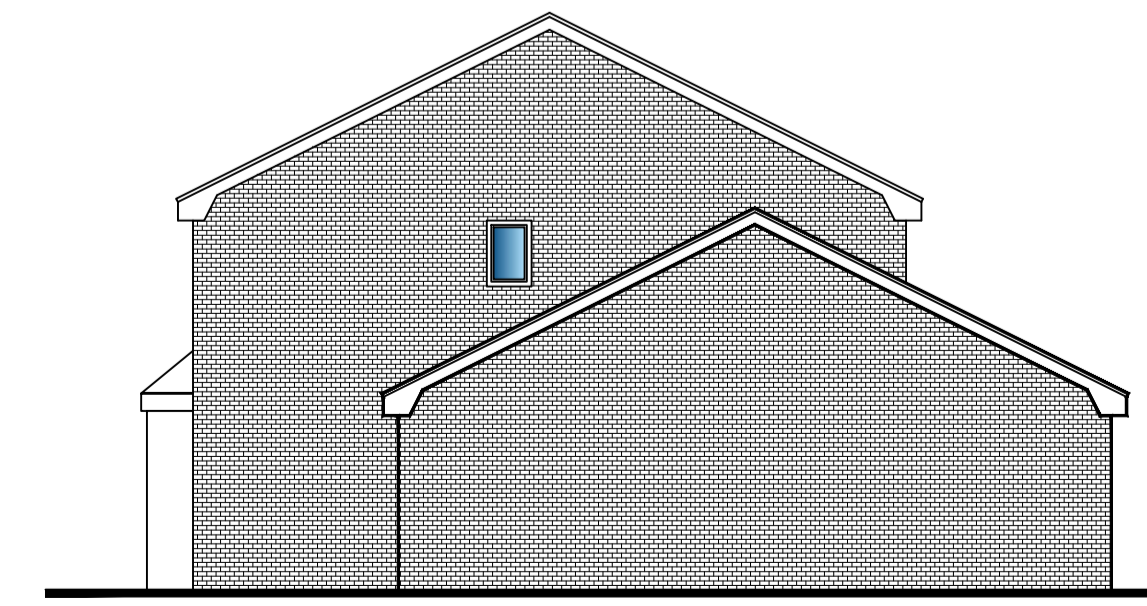
EXISTING REAR ELEVATION (1:100)



EXISTING GABLE ELEVATION (1:100)



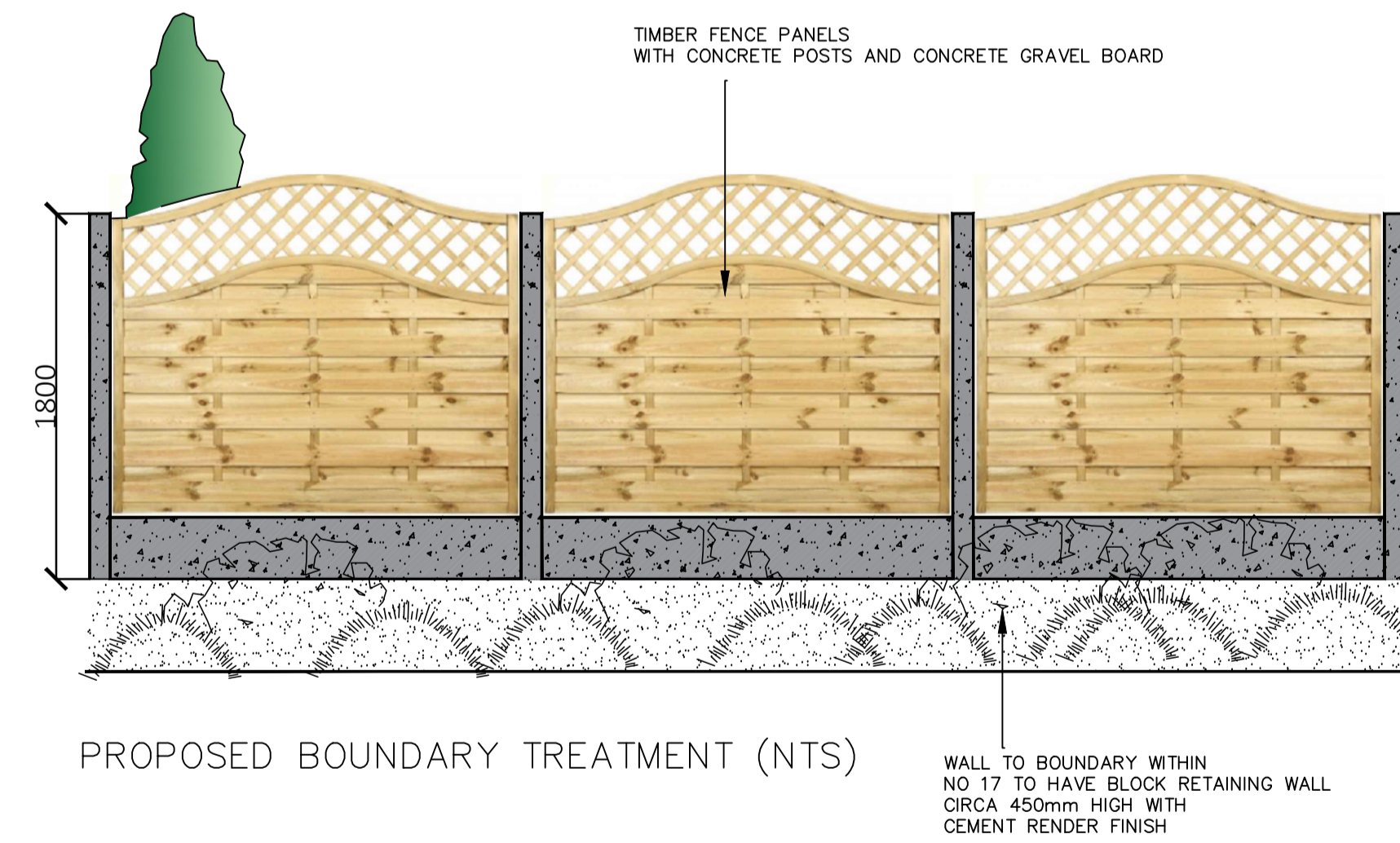
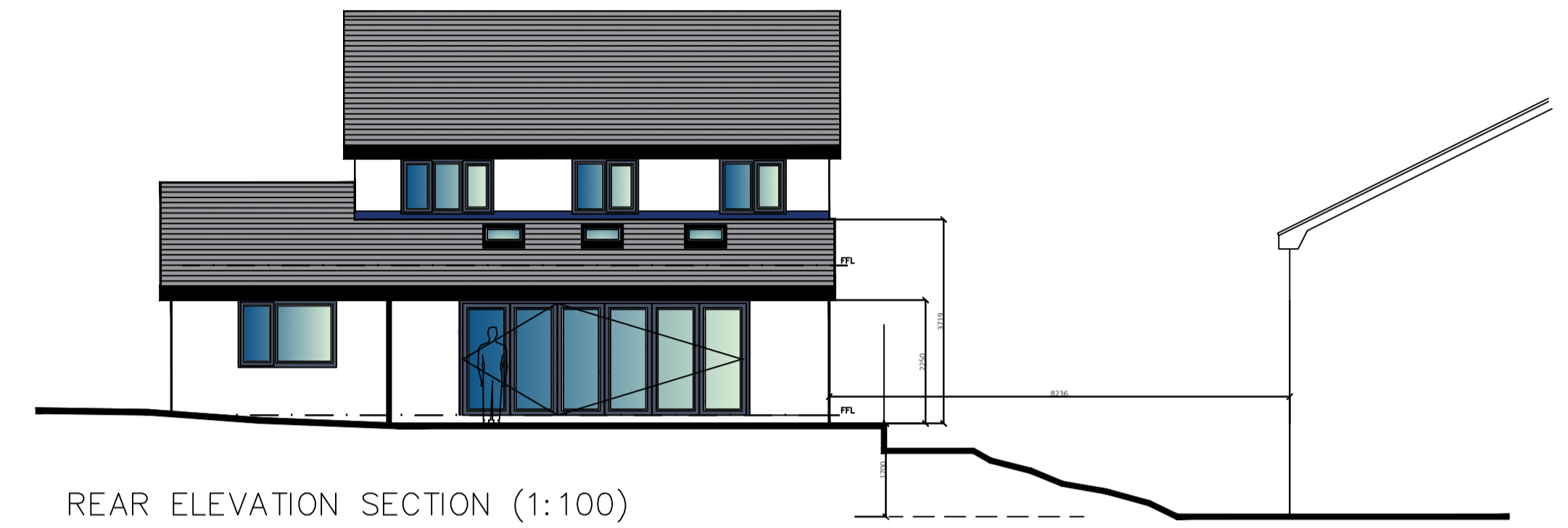
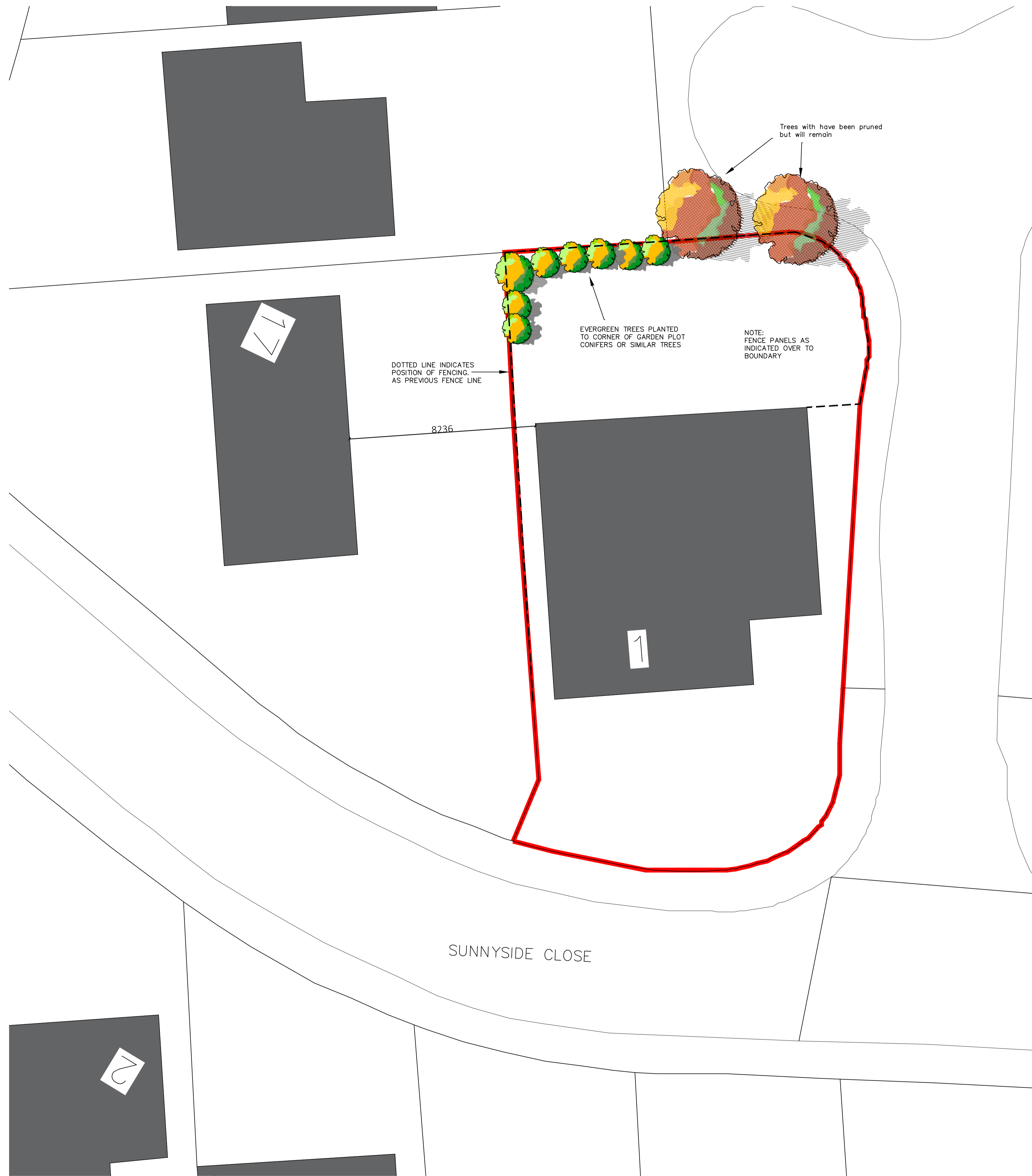
PROPOSED REAR ELEVATION (1:100)



PROPOSED GABLE ELEVATION (1:100)  
NO CHANGE TO EXISTING

Client			
Nick Pritchard			
Project			
Single Storey Rear Extension at 1 Sunnyside Close, Reedsholme Rossendale BB4 8PE			
Job No.	Area	File Ref	
2017/32			
Title			
Existing and Proposed Plans and Elevations			
2017/32-04			rev. B
Date	Drn.	Scale	Checked
07.03.17	B. Edmondson	AS Noted	
20 Fernhill Drive Stacksteads, Bacup Lancashire OL13 8JS tel 01706 870944 mob: 07528809176 e:info@eds20.co.uk			





Client			
Nick Pritchard			
Project			
Single Storey Rear Extension at 1 Sunnyside Close, Reedsholme Rossendale BB4 8PE			
Job No.	Area	File Ref	
2017/32			
Title			
Proposed Site plan			
2017/32-05			rev. C
Date	Drn.	Scale	Checked
07.03.17	B. Edmondson	AS Noted	

**eds**  
edmondson  
design services

20 Fernhill Drive  
Stacksteads, Bacup  
Lancashire  
OL13 8JS  
tel 01706 870944  
mob: 07528809176  
e:info@eds20.co.uk