

Application Number:	2017/0375	Application Type:	Householder
Proposal:	Householder: Erection of first floor side extension	Location:	9 Priory Close Newchurch Rossendale Lancashire BB4 9HB
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	29/08/2017
Applicant:	Mr and Mrs Paul Webster	Determination Expiry Date:	19/09/2017
Agent:	Mr Malcolm Percy		

Contact Officer:	Anna Hayes	Telephone:	01706 238625
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	Councillor Marriot Promoting healthy and sustainable communities
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 planning permission is refused for the reasons set out in section 10.

APPLICATION DETAILS

2. SITE

The application site comprises of a semi-detached property sited at the end of Priory Close at the vehicle turning point. It is understood the property is used as a home for foster children. The

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

property is constructed from red facing brick with concrete roof tiles and white uPVC windows. To the side elevation there is a flat roof converted garage which is set forward of the principal elevation by 1 metre and connects to a flat roof front porch. The plot benefits from front garden space and a paved driveway which can accommodate two vehicles in line. To the rear of the property there is a lawned garden bounded by timber panel fencing, with large mature trees sited beyond the rear boundary. Metal railings to the South West of the site are in place to delineate the boundary between the application site and Staghills Nursery School.

No.9 Priory Close forms one of a row of four similar semi-detached houses, with one detached dwelling at the end of the row. The properties have garages to the side elevation (some of which have been converted) with porches to the front elevation that vary in roof style. The three properties on the opposite side of Priory Close are detached and have a different and consistent design.

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

2017/0222 Erection of first floor side extension Withdrawn

An application for planning permission was previously submitted for the same scheme. Officers liaised with the planning agent over the concerns with the design of the extension and the agent was agreeable to making amendments and by re-working the internal layouts to still accommodate two good sized bedrooms and bathrooms facilities. Amended plans were not forthcoming and the application was later withdrawn, with the resubmission of the same scheme as originally submitted.

4. PROPOSAL

Planning permission is sought for the erection of a first floor extension to the side elevation above the existing flat roof converted garage (now a ground floor bedroom, shower room and kitchen). The first floor extension would occupy the full footprint of the existing converted garage below and would project 1 metre forward of the existing first floor front elevation. The extension would introduce a two storey projecting gable elevation which would sit under a pitched, concrete tiled roof. The external walls of the extension would be constructed from facing brick to match existing with a contrasting brick band course between the first and ground floor and to the head and cills of the new first floor window to the front elevation.

A mono-pitched roof would be constructed above the existing front porch with uPVC cladding to the side elevation under the roof line.

The extension would create space for two additional bedrooms and a new bathroom, giving a total of 6 bedrooms.

The application is accompanied by a letter from the agent which states:

- The proposed extension would provide space for two further single bedrooms to accommodate additional foster children.
- Whilst forward projections are not normally considered to be acceptable, the agent stated that as the application site is the last property on the cul-de-sac it would not create a

'terracing' effect nor have a detrimental effect on the visual amenity of the area in general or street scene in particular.

- The benefit of the proposal outweighs any potential visual dis-amenity.

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 3 Waterfoot, Lumb, Cowpe and Water
Policy 1 General Development Locations and Principles
Policy 23 Promoting High Quality Design and Spaces
Policy 24 Planning Application Requirements

Other Material Considerations

RBC Alterations & Extensions to Residential Properties SPD (2008)

6. CONSULTATION RESPONSES

Lancashire County Council Highways: No objection subject to conditions

7. REPRESENTATIONS

To accord with the General Development Procedure Order, 6 no. neighbours were initially notified by letter on 27/07/2016.

One letter of support was received and has been summarised below:

- The proposed extension would support their ability to continue to foster a young person, and offer another young person the chance to live within a fostering family.

One further representation has been received from the adjacent neighbours at 6 Priory Close:

- "Parking of construction work vehicles, at no point do we want access blocked to our driveway hence having to repeatedly request vehicles to be moved. We have vehicles coming & going regularly throughout the day to our property..., parking is very limited and awkward on the end of the cul de sac."
- "As we do not work 9-5 jobs and both have careers that shift work entails we would ask for construction work of any sort to commence AFTER 8.30am. This had also been discussed regarding other noise issues with the environmental health department with regards to other residential living conditions. It is a main point of concern for us."

8. REPORT

The main considerations of the application are:

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

Principle

The property No.9 Priory Close is in the Urban Boundary, therefore an extension to this residential property is acceptable in principle.

Visual Amenity

General guidance set out in the Alterations and Extensions to Residential Properties SPD is applied to all domestic extensions and states that any application will not normally be permitted unless the proposal:

“Achieves a high standard of design and gives the appearance of being part of the original building. Specific features such as doors, windows and roof style and eaves, should particularly reflect the dwelling’s original shape, size, alignment and architectural integrity”.

And:

“Complements the original building through the use of matching materials and by reflecting the design, massing, bulk, detail, proportion, scale and style of the original building, so as not to dominate it”.

At present, the properties in the row maintain a simple and uniform appearance as they all form part of the same even building line. The proposed first floor extension would fail to respond to local context, contrary to Policy 23 and section 3.3 of the SPD, as it would introduce a new prominent feature which would project forward of the main frontage and disrupt the continuity of the existing building line, to the detriment of the visual quality and character of the street scene.

Notwithstanding the property’s position at the end of the cul-de-sac, the proposed first floor extension which has a new separate pitched roof feature, would stand proud of the main frontage and as a result would be a very dominant and incongruous addition to the original house, failing to achieve a subordinate appearance as required by the SPD. The additional mass and bulk to the front elevation would detract from the existing alignment and character of the original house, contrary to SPD guidance.

The neighbouring property No 3 Priory Close has been extended at first floor level, but in a manner which retains the existing building line, and retains the line of the canopy on the front elevation.

It is noted that the large detached properties on the opposite side of Priory Close do have pitched roof features to the front elevations. However the front elevations of these dwellings are flat and are of a fundamentally different design to those on the South side of Priory Close. It is therefore afforded limited weight in this decision.

Overall, the design of the extension would fail to comply with the Core Strategy Policies 23 and 24 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.*

The first floor gable extension would introduce a new habitable room window which would project 1 metre forward of the existing front elevation and existing first floor windows. There is a distance of 27 metres between No.9 Priory Close and the opposite property, No.6 – therefore Officers are satisfied that with regards to separation distances, the proposed development is acceptable and comfortably exceeds the recommended 20 metres between two habitable room windows which directly face each other. The proposed extension would not cause a detrimental loss to the level of privacy which neighbours currently enjoy.

The extension would occupy the footprint of the existing converted garage below and would not be adjacent to any other residential property, therefore Officers are satisfied that the extension would not have a detrimental 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.

The access and parking of construction vehicles during the construction process is as with all developments for a temporary period only. In this case, having regard to the type of householder development, it is not expected that there would be heavy duty machinery which would necessitate a condition to control working hours.

Overall, 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

As a result of the proposed development the number of bedrooms in the property would increase from four bedrooms to six bedrooms. The Parking Standards which are outlined in Appendix One of the Core Strategy DPD states that a C3 residential dwellinghouse with four+ bedrooms should provide for three off street parking spaces.

At present, the property has a paved driveway large enough to accommodate two vehicles in line. It is proposed to surface a section of unused, overgrown garden space to provide for an additional space giving a total of three 5.5 x 2.4m spaces within the site, with an additional width of 800m to allow for pedestrian access. Lancashire County Council has no objection to the scheme subject to a condition that the driveway is made from a bound and porous material.

Subject to conditions, the scheme is acceptable with regards to access, parking and highway safety.

Other material considerations

The proposed extension would provide space for two additional bedrooms as required by the fostering family. Officers have considered this as part of the application and whilst the extension would provide for the required additional bedrooms, it does not outweigh the harm which the

proposed extension would cause to the street scene and character of the surrounding area. Officers would be able to support the scheme if the first floor extension was set back to be no further forward than the main frontage.

9. RECOMMENDATION

It is recommended that the planning permission is refused for the reasons set out in section 10.

10. REASON FOR REFUSAL

1. The proposed extension would significantly harm the character and appearance of the host property and disrupt the continuity of development in the street scene to an unacceptable extent, contrary to Policies 23 and 24 of the Rossendale Core Strategy, the Alterations and Extensions to Residential Properties SPD and the National Planning Policy Framework.