

Application Number:	2018/0537	Application Type:	Full
Proposal:	Erection of two rear dormers and side link-extension to existing residential unit above social club	Location:	Healey Conservative Club Market Street Whitworth
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	3 rd January 2019
Applicant:	Mr P Reed	Determination Expiry Date:	18 January 2019
Agent:			

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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	YES
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

Approve subject to the conditions set out in Section 10 of the report.

2. SITE

Healey Conservative Club forms part of the sporadic built-development to the east side of Market Street (A671) which is within the Green Belt to the south of the settlement of Whitworth.

To the north side of the application building is woodland. The pair of houses to the south side and the terrace of houses to the opposite side of the main road are of traditional design and stone/slate construction.

The application building also has a slate roof and front elevation of coursed stone and is of 2-storeys in height. However, it is elevated by 2.5m above the level of the main road and other properties in the immediate vicinity by virtue of its cellar, as too is the 1-storey addition on the north side and 2-storey addition on the south side. Land to the rear is at a level which leaves only the brick elevation at first-floor level exposed - all 3 of its rear windows presently bricked-up. The land continues to rise quite steeply, a path/steps giving access to a bowling green approximately 20m to the rear.

3. RELEVANT PLANNING HISTORY

2004/570 Extensions to create managers living accommodation
Refused and dismissed on appeal

The scheme entailed creation of a 3-bedroomed flat by conversion of the first-floor function room, provision of 3 dormers to front, mansard roof to the rear, first-floor extension over the 1-storey addition to the north side and other alterations.

2006/220 Change of Use of First Floor Function Room to Residential Flat
Approved 08/08/06, subject to 2 conditions:

- 1) Development to be begun within 3 years; &
- 2) The permission hereby grants is for the change of use of the first-floor function room to one unit of residential accommodation and does not imply or grant approval for any extension or material alteration of any external walls of the building.

Although not all works to complete the implementation of this permission have been undertaken the Council's Building Control Section has confirmed that works to create the flat were commenced within the prescribed period.

2018/364 Front and rear dormers and glazed side extension

This application sought permission to increase the size of the previously-permitted first-floor flat by the construction of 2 dormers on the front roof plane and provision of 1 dormer & 2 small roof lights on the rear roof plane to serve 2 bedrooms, a lounge/study and bathroom intended within the roof-void.

It was also intended to reconfigure the first-floor residential accommodation (providing a rather larger open-plan kitchen/dining-room/lounge by not providing a bedroom) and, for the part of the building to the south side, entailing construction of a new lobby and internal staircase to access the flat within an extension of slightly more generous dimensions and glazed at first-floor level.

The application was refused on 30/08/18 for the following reason:

Having regard to the prominence of the existing building, and its elevation above the level of the main road and nearby buildings, the proposed front dormers will form an unduly prominent and intrusive feature in the street scene. Furthermore, the proposed

front dormers would not align vertically with existing windows or match their style and proportions. Accordingly, the proposal does not accord with the National Planning Policy Framework, Policies 1 & 23 of the Council's adopted Core Strategy DPD (2011) or the Council's adopted Alterations and Extensions to Residential Properties SPD (2008).

4. PROPOSAL

The current application again seeks permission to increase the size of the previously-permitted first-floor flat by utilising the roof-void. However, the scheme does not now entail provision of either of the dormers on the front roof plane which application 2018/364 proposed.

It is intended that the 1-bedroomed first-floor flat permitted under 2006/220 become a 2-bedroomed flat extending into the roof-void, with provision of:

- 4 roof lights in the front roof-plane; &
- 2 gabled-dormers projection from the rear roof-plane.

It was again intended to reconfigure the first-floor residential accommodation (providing a rather larger open-plan kitchen/dining-room/lounge by not providing a bedroom) and, for the part of the building to the south side, entailing construction of a new lobby and internal staircase to access the flat within an extension of slightly more generous dimensions and glazed at first-floor level.

The proposed extension will project to the side no more than the entrance-lobby it replaces, but will project to the rear a further 0.75m. Its ground-floor is again to have a rendered-finish, whilst the first-floor element is now to be glazed, with a upvc frame.

5. POLICY CONTEXT

National

National Planning Policy Framework

- Section 2 Achieving Sustainable Development
- Section 6 Building a Strong, Competitive Economy
- Section 9 Promoting Sustainable Transport
- Section 12 Achieving Well-Designed Places
- Section 13 Protecting Green Belt Land

Development Plan

RBC Core Strategy (2011)

- AVP1 Area Vision for Whitworth, Facit & Shawforth
- Policy 1 General Development Locations and Principles
- Policy 8 Transport
- Policy 18 Biodiversity, Geodiversity & Landscape Conservation
- Policy 21 Supporting the Rural Economy & its Communities
- Policy 23 Promoting High Quality Designed Spaces
- Policy 24 Planning Application Requirements

Other Material Planning Considerations

RBC Alterations and Extensions to Residential Properties SPD (2008)

6. CONSULTATION RESPONSES

Consultee	Comment
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LCC Highways	No Objection
Whitworth Town Council	Objection due to : - Inadequate parking provision - Loss of privacy

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted and letters were sent to neighbours.

The following comments have been received:

37 Market Street

Object for the following reasons:

- Close to adjoining properties
- Development too high
- Inadequate parking provision
- Loss of light
- Loss of privacy
- Noise nuisance

In amplification it is stated:

- The club has a long history under the present ownership of creating serious noise nuisance and there is a need to address the complete absence of any parking provision.
- The top floor has only recently converted to residential use. If the new roof would be higher than the existing one it would take light from neighbouring properties The side extension would also reduce the privacy of neighbouring properties

41 Market Street

Object for the following reasons:

- General dislike of proposal
- Over development / Out of keeping with character of area / Development too high
- Loss of light / Loss of privacy
- Noise nuisance
- Increase in traffic
- Loss of parking / Inadequate parking provision

In amplification it is stated:

- The club is located close to a concealed entrance (Ending Rake), a blind bend and near a busy junction (Shawclough Road). It results in cars parking on-street/on pavements, on occasion resulting in parking and dropping-off/picking-up by taxis that obstructs our drive and noise from rowdy people/slamming of car doors/revving engines.
- The last year has been intolerable with their intruder alarm being set off in the early hours.
- The front of the building looks straight towards 2 of our bedrooms and the proposed dormers will take a lot of our natural light and privacy.

8. ASSESSMENT

Objectors have raised issues in relation to noise/lack of parking for the club/creation of a dwelling unit.

The club is of longstanding and has been and licensed to trade as such. Planning Permission 2006/220 allowed creation of a unit of living accommodation through conversion of the first-floor function room thereby reducing the usable space of the club.

Although the works then permitted to form the flat have not been fully completed the Building Control Section has advised that it received a Building Regulation application for the development in December 2006 and works started in January 2008.

Accordingly, the lawful use of the premises is as a club with a unit of living accommodation above. The decision now to be made relates only to the additions/external alterations being proposed in this application and the larger unit of living accommodation thereby created.

The main considerations in determining the application are:

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

Principle

The proposal relates to a building within countryside designated as Green Belt, wherein Government guidance and the Council's own policies seek to prevent development that will unacceptably erode the essentially open and rural character of the area.

Paragraph 133 of the NPPF reads as follows:

"The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."

The Council's Alterations and Extensions to Residential Properties SPD contains a section relating specifically to dwellings in Green Belt and Countryside:

"Proposals for domestic extensions and extensions/alterations to outbuildings in such areas will be strictly controlled to ensure that proposals do not impact upon the intrinsic character and appearance of the Green Belt and/or Countryside. Proposals for domestic extensions in the Green Belt and/ or Countryside should not normally exceed a third of the volume of the original dwelling..."

In this context, 'original' means the dwelling as standing in July 1948 or, if of later date, as first built/created.

The additions for which permission is now sought are of such modest size they will not unduly detract from the openness of the Green Belt.

Visual Amenity

The Council's 'Alterations and Extensions to Residential Properties' SPD seeks to ensure domestic extensions are not of such incompatible design and facing materials that they relate poorly with the original building or street scene.

In relation to dormers the SPD states that proposals will be assessed against the following criteria:

- *"Materials to be used for roof extensions should complement the existing roof material;*
- *Dormers should be subordinate to the existing roof and retain a significant proportion of the original roof intact;*

- *Gabled dormer extensions should not project above the original ridge line. In all other cases the roof of the dormer should be 0.5 metres or more below the original ridge line;*
- *The face of a dormer should be set back by a minimum of 1m behind the original wall;*
- *Dormers should be set in by not less than 0.5 metres from side/party walls;*
- *Dormer windows should seek to line up vertically with existing windows and match their style and proportions.”*

With respect to 2-storey/first-floor side extensions the SPD states:

“When assessing proposals for two-storey side extensions the Council will seek to prevent the loss of gaps between buildings, particularly where gaps are important to the visual character of the street scene. This is to prevent two storey side extensions on semi-detached and detached dwellings creating the appearance of a terraced row of houses.”

The two gabled-dormers now proposed on the rear roof-plane will not be visible from Market Street. They will accord with the size requirements set out in the SPD, and are to be of a siting/design/facing materials that respects the character of the building.

Likewise, the new lobby and internal staircase proposed to the south side of the building will not detract from the street-scene or open countryside to the rear of the site, tucked behind a 2-storey extension which presently runs down the half of this gable nearest to Market Street and projecting only 0.75m further to the rear than the entrance-lobby it is to replace.

Neighbour Amenity

The proposed front rooflights and rear dormers will not materially alter the degree to which neighbouring properties are overlooked or the light they receive.

The existing lobby and internal staircase to the flat are now to be accommodated within an extension of only slightly greater dimensions. It is shown on the submitted drawings with the ground-floor to again have a rendered-finish, whilst the first-floor element is now to a UPVC frame and with floor-to-ceiling glazing in its side and rear elevations, akin to many domestic conservatories. Its siting and size are such that it will not result in significant loss of light/overbearing for any neighbour. However, it is considered appropriate to require opaque glazing in the side elevation in order to avoid unacceptable loss of privacy for occupiers of the dwellings to the south side. The applicant is in any event likely to wish to fit opaque glazing in the side and rear elevations of this addition to prevent view in to it by people passing to and from the bowling green from Market Street along the adjacent path/steps.

On this basis the scheme is considered acceptable in terms of neighbour amenity.

Access and Parking

Notwithstanding the objections to the application received from Whitworth Town Council and local residents due to traffic/parking issues, LCC Highways has raised no objection to the proposal.

In amplification it has advised:

“The social club is situated within close proximity to a bend in the road on Market Street which has a requirement for double white lines to the centre of the road for the safety of road users and the public. Parking is very poor within the vicinity of the social club and it has been established that there is already a history of insufficient parking arrangements within close proximity of Healey conservative club.

The proposal will result in...a 2 bedroom residential apartment which forms the living arrangements above the social club.

The highway authority would object to any vehicles being parking on the highway fronting the social club.

However, as Healey Conservative Club has been a long standing establishment and as the upstairs of the club will involve the loss of an existing function room in order to provide the 2 bedroom apartment there will be a reduction in the demand for on-street parking... Therefore, taking into account that there shall be a reduction in the amount of traffic that would have been generated from the function room as a result of the application, there would not be a detrimental increase in the number of vehicles as a result of the application.”

9. SUMMARY REASON FOR APPROVAL

The proposal will not result in additions to the building that will unduly detract from the openness of the Green Belt and, subject to the conditions, the proposal will not detract to an unacceptable extent from the character and appearance of the area, neighbour amenity or highway safety. The proposal is considered to accord with the National Planning Policy Framework and Policies AVP1 / 1 / 8 / 18 / 23 / 24 of the Council’s adopted Core Strategy (2011).

10. RECOMMENDATION

Approve 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: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.

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

Title	Drwg No	Date Recd
Location Plan	-	06 / 11 / 18
Existing Plans/Elevations	2018/32-01 rev A	06 / 11 / 18
Proposed Plans/Elevations	2018/32-02 rev D	06 / 11 / 18

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

3. All proposed windows that face south shall be fitted with obscure-glazing and shall remain as such thereafter.

Reason: To protect the amenities of neighbours.

