

Application Number:	2019/0118	Application Type:	Full
Proposal:	Erection of Granny Annex	Location:	Laura-dene Church Street Crawshawbooth
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	18 June 2019
Applicant:	Mr S Haworth	Determination Expiry Date:	21 June 2019
Agent:	Mr R Booth		

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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

Approval, subject to the Conditions set out in Section 11 of the report.

2. SITE

The applicant resides in a detached bungalow to the north side of Church Street, within an area where there are significant ground level changes.

Notwithstanding that it is elevated above the highway, the applicant's bungalow does not form a prominent feature in the street-scene. It stands between a large detached house (Stonehaven) where the ground is somewhat lower and a terrace of houses (Laburnum Cottages) where the

ground is somewhat higher. With a 14m setback from the 2m high stone wall on the highway frontage, it has a gable facing towards the highway.

Of rather greater presence in the street-scene is its detached garage. It stands in the front garden, with a setback of 2m from the 2m high stone wall on the street frontage and has a 2.5m stand-off from the party-boundary with 1 & 2 Laburnum Cottages; it is angled to these boundaries rather than squarely in the corner of the garden although the top of the frontage wall continues to the side of the applicant's front garden at the same height, by reason of the front gardens of 1 & 2 Laburnum Cottages being elevated by approximately 0.5m, it has a height of approximately 1.5m as viewed from them. These two neighbouring houses have their ground-floor at a level that is approximately 0.5m higher than their front gardens.

The garage has a footprint of 4.4m x 4.5m, its door facing towards the parking/turning area to its west side. It has an eaves-height approximately 1m higher than the stone walls bounding the applicant's front garden and a ridge-height approximately 2m higher than the boundary walls. Planting with a height to project above the level of the boundary wall within the applicant's front garden breaks views of the garage from Church Street and the terraced houses opposite, whilst planting in the front gardens of 1 & 2 Laburnum Cottages breaks views of the garage from within these gardens and from the ground-floor windows of these houses.

The site is within the urban boundary according to the Adopted Rossendale Core Strategy (2011).

3. RELEVANT PLANNING HISTORY

None.

4. PROPOSAL

Permission is sought to demolish the existing garage and erect in its place a granny annex, to contain a lounge/diner/kitchen, a bedroom and a bathroom.

The proposed building is to have a set back from the frontage wall that is 0.3m less than the existing garage and have a stand-off from the wall forming the party-boundary with 1 & 2 Laburnum Cottages reduced from 2.5m to 1.5m. It is to be more squarely in the corner of the garden, have a footprint of 5.5m x 8m, with a hipped-roof rising to a height of 3.8m. It is to have a tiled roof and rendered external walls, to match the facing materials of the existing bungalow. Its principal windows will face towards the applicant's own garden, but there will be an obscure-glazed window to the bathroom and above the kitchen-sink in that elevation facing towards 1 & 2 Laburnum Cottages.

As first submitted the application proposed that the granny annex have a pitched-roof. The Agent was requested to reduce the bulk of building which will be evident in the street-scene and from neighbouring properties. As a consequence a revised drawing has been submitted that shows:

- the ground-level is to be reduced by 0.3m;
- proposed building is to be constructed at a level its gutter-height will exceed the height of the wall to the front and side boundaries by only 0.6m;
- the roof is now to be hipped at each end and its ridge is to exceed the height of the boundary wall by 2.1m;
- the boundary wall forming the party-boundary with 1 & 2 Laburnum Cottages is to be topped by 0.3m high trellis (thereby exceeding the height of the obscure-glazed windows serving bathroom & above the kitchen-sink/matching the gutter-height).

The submitted Site Plan shows that:

- 4 cars will continue to be able to park and turn within the site.

- A pollarded tree and another shrub of a height to project above the level of the wall within the applicant's front garden, and which breaks views of the existing garage from Church Street and the terraced houses opposite, will be removed.

5. POLICY CONTEXT

National

National Planning Policy Framework

Section 2	Achieving Sustainable Development
Section 5	Delivering a Sufficient Supply of Homes
Section 6	Building a Strong, Competitive Economy
Section 9	Promoting Sustainable Transport
Section 11	Making Effective Use of Land
Section 12	Achieving Well-Designed Places
Section 14	Meeting the Challenges of Climate Change, etc
Section 15	Conserving and Enhancing the Natural Environment
Section 16	Conserving and Enhancing the Historic Environment

Development Plan Policies

Rossendale Core Strategy (2011)

AVP4	Area Vision for Rawtenstall
Policy 1	General Development Locations and Principles
Policy 8	Transport (inc Appendix 1 Parking Standards)
Policy 23	Promoting High Quality Designed Spaces
Policy 24	Planning Application Requirements

Other Material Considerations

RBC Alterations and Extensions to Residential Properties SPD (2008)

6. CONSULTATION RESPONSES

LCC Highways

No objection.

7. REPRESENTATIONS

To accord with the General Development Procedure Order letters were sent to neighbours.

Three objections have been received; the key concerns are summarised below.

1 Laburnum Cottages

Objection:

- loss of privacy due to proximity to our property
- height of the structure will affect the outlook of most of the cottages
- most serious is parking - it is already difficult to park. I struggle to park nearly every day, and I drive my disabled mother who lives with me.

2 Laburnum Cottages

Objection:

- Inadequate parking, possible increased traffic, loss of tranquillity in front of our houses and being more closed in with density of construction would certainly worsen quality of life.
- Parking is already very difficult on Church Street, especially for the residents of Laburnum Cottages, all of whom have cars. It is already likely to become more difficult when the new

houses are built on the field at the back, and is already a safety hazard when people park on the back street.

- I doubt that there would be sufficient room for so many cars as indicated, let alone any quite large vans, to park in front of the proposed Granny Annex.
- The tree in the garden to be removed, although it is not large and was trimmed considerably a few years ago, is really quite attractive and healthy looking in spring & summer and attracts birds. It would be a shame if this tree and nearby small trees and bushes were to go.

3 Laburnum Cottages

Objection:

- potential loss of privacy due to the close proximity of the proposed property to the boundary wall;
- proposed height of the structure, which will affect particularly outlook of 1, 2 & 3 Laburnum Cottages;
- there are significant issues currently with parking on Church Street, caused by a lack of adequate spaces. A number of addresses also have multiple vehicles, and RBC has published plans to build a number of new houses behind Laburnum Cottages. A new property will add to demand on the limited space available for parking by residents.

8. ASSESSMENT

The main considerations in determining the application are:

- 1) Principle; 2) Visual Amenity; 3) Neighbour Amenity; & 4) Access/Parking

Principle

The proposal entails the erection of a granny annex within the grounds of an existing dwelling located within the Urban Boundary. Accordingly, there is no objection in principle to the proposal.

Visual and Neighbour Amenity

Policies 1, 23 and 24 of the Council's adopted Core Strategy seek to maintain Rossendale's distinctive environment by, amongst other things, ensuring that all new developments are of the highest standard of design that respect and respond to local context, distinctiveness and character, in terms of criteria including style, visual impact, scale, massing and height.

Section 2 of the Council's approved Alterations & Extensions to Residential Properties SPD provides general guidance about the form any extension should take, with the aim of ensuring it is of a high standard of design and does not detract from the character of the original and neighbouring properties, neighbour amenity or highway safety through siting, excessive bulk, inconsistent design or ill-matched facing materials.

The SPD gives specific advice in relation to garden structures:

- Garden structures will not normally be allowed to the front of domestic properties (or side on corner plots) where they would be within 2m of the boundary; and
- They will be considered against the general principles included in this SPD including amenity concerns and visual dominance.

In this instance the proposed building will be compliant with the Council's Alterations & Extensions to Residential Properties SPD in terms of separation distances between it & its windows and the windows of neighbouring dwellings. However, it will be marginally less than 2m from Church Street and the boundary of the front gardens of 1 & 2 Laburnum Cottages. To push the building further

from Church Street would necessitate its construction with a higher ground level. To push it further from the boundary of 1 & 2 Laburnum Cottages would make it more problematic to maintain/provide an area of hardstanding in a form to enable the appropriate number of off-street parking spaces to be provided and the facility for vehicles to both enter and exit the site in forward gear, necessary if the frontage wall is to be retained at its existing height and parking in front of the terraced houses opposite to continue.

So long as the existing boundary wall is maintained at its existing height - as is proposed - the proposed building will not form an unduly prominent and intrusive feature in the street-scene or detract to an unacceptable extent from the light/outlook/privacy of neighbours.

The proposed building is of greater size than the garage it replaces and will be 0.3m nearer to Church Street and 1m nearer to the party-boundary with 1 & 2 Laburnum Cottages. The pollarded tree within the applicant's front garden to be removed is not of such visual amenity value it warrants the protection of a Tree Preservation Order. Removal of it and another shrub near the frontage wall enable the proposed building to be constructed at level below that of the existing garage. As a consequence also of having a hipped-roof, with a shallow pitch, the extent to which the proposed building projects above the stone wall being retained on the frontage to Church Street and eastern side of the applicant's garden minimises its intrusion.

For occupiers of the terraced houses to the opposite side of Church Street view will be towards a 5.5m long gable, but will have a gutter that projects only 0.6m higher than the stone wall on the site frontage and then a plane of the hipped-roof sloping up to a ridge only 1.5m higher than the gutter and with a setback from Church Street of 4.8m.

Front windows of the houses at 1 & 2 Laburnum Cottages will view towards the 8m long rear elevation of the proposed building, but it will have a gutter that projects only 0.6m higher than the boundary wall and then a plane of the hipped-roof sloping up to a ridge only 1.5m higher than the gutter and with a setback from the party-boundary of 4.5m. It is intended that the boundary wall to this side be topped by a trellis-fence of 0.6m in height, thereby allowing a degree of light to the obscure-glazed windows serving the bathroom & above the kitchen-sink, whilst minimising for neighbours view of these windows and the upper part of the external wall. As measured from the level of these neighbours front gardens the top of the trellis will not exceed 2m in height.

Notwithstanding that two of the objectors have made reference to the height of the building and loss of privacy it is concluded that the proposal will not unduly detract from the street-scene or the light/outlook/privacy neighbours could reasonably expect to enjoy.

Access/Parking

All 3 objectors make reference to the existence already of parking problems in the area and are concerned that the proposal will exacerbate this problem. The residents of the terrace of houses to the opposite side of Church Street and of Laburnum Cottages are reliant on on-street parking.

The applicant has provided an amended plan to show how four cars can be parked within the curtilage of the main dwelling, to serve the main dwelling and the annex, with space to manoeuvre. As a result of the amended plan, LCC Highways has no objection to the proposal.

10. SUMMARY REASON FOR APPROVAL

The proposed development is appropriate in principle in 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 the National Planning Policy Framework, and Policies AVP4 / 1 / 8 / 23 of the Council's adopted Core Strategy DPD (2011).

11. RECOMMENDATION

Approve

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 hereby permitted shall be carried out in accordance with the following drawings, unless otherwise required by the conditions below:

<u>Drawing Title</u>	<u>Drwg No</u>	<u>Date Rec'd</u>
Location Plan /Site Plan	1910/SH/02 rev A	15 / 04 / 19
Proposed Plan & Elevations	1910/SH/01 rev B	07/06/19 / 19

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

- 3) The building hereby permitted shall be occupied as an annex to the existing dwellinghouse on the site and shall not at any time be occupied as a separate dwellinghouse.

Reason: The building hereby permitted does not possess the facilities/amenities occupiers could reasonably expect of a separate dwellinghouse, including private garden space.

- 4) The building hereby permitted shall be constructed at the level and with the facing materials indicated on Drwg No1910/SH/01 rev B, the windows in the east elevation to be obscure-glazed Level 4 and remain as such.

Reason: In the interests of visual and neighbour amenity.

- 5) Prior to first use of the building hereby permitted the area shown on 1910/SH/02 rev A for the parking and turning of vehicles shall be made available and thereafter kept freely available for use as such.

Reason: In the interests of highway safety.

