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| Application Number: | 2019/0501 2019/0502 LBC | Application Type: | Full Listed Building Consent |
| Proposal: | Demolition of existing outbuilding and construction of new outbuilding (Retrospective) | Location: | 415 Helmshore Road Helmshore Haslingden |
| Report of: | Planning Unit Manager | Status: | For publication |
| Report to: | Development Control Committee | Date: | 21 July 2020 |
| Applicant: | Mr T Albinson | Determination Expiry Date: | 24 July 2020 |
| Agent: | Equilibrium Architects Ltd | | |

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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

That Planning Permission and Listed Building Consent be granted, subject to the Conditions set out in Section 4.

2. UPDATE

These applications were considered at the meeting of Development Control Committee held on 9 June 2020, and it was resolved that decisions be “*deferred to the next meeting to enable committee members to reconsider the plans following site visits*”.

At the last meeting Members of Committee wished to be certain about the height of the timber roof-structure of the outbuilding now to be seen (and, consequently, the ridge-height that would result from its slating-over) - thereby enabling them to be sure about the reduction in ridge-height that would ensue from completion of the outbuilding in the form for which approval is now sought.

Subsequent to the meeting Cllr Val Roberts viewed the site and has expressed concern about:

- the final foot of construction as it is “*at least a foot above the wall, with a rough cement finish*”; &
- “*what exactly is to happen with rainwater*”.

A Planning Officer has visited the site and measured the timber roof-structure of the outbuilding now to be seen at 3.25m above internal floor and external ground levels. The Agent has confirmed that if this roof-structure is slated-over the resulting outbuilding would have a ridge-height of 3.32m.

Members previously had before them a drawing on which were shown the Pre-existing Outbuilding, the Existing Outbuilding and the Proposed Outbuilding for which approval is now sought. To give greater clarity about the dimensions / facing materials / rainwater-goods of the Proposed Outbuilding the Elevations of the outbuilding for which approval is now sought are now shown on a separate drawing.

The outbuilding for which approval is now sought will have:

- A footprint which is smaller than that of the pre-existing outbuilding
- A ridge-height lower than the pre-existing outbuilding
- A ridge-height appreciably lower than would result from completion of the outbuilding now to be seen on the site - the outbuilding for which approval is now sought is to have a height of 2.8m, which is 0.52m lower than would result from completion of the outbuilding now to be seen



Pre-Existing Outbuilding



Existing Outbuilding
(the pre-existing outbuilding did not project forward of the red line)

The proposed outbuilding is to be sited 2.4m nearer to Gregory Fold than the pre-existing outbuilding. This will not result in unacceptable detriment for residents of the neighbouring converted barn, any heritage asset or the street scene, not least because the roof of the proposed outbuilding is to be hipped whereas the roof of the pre-existing outbuilding was not.

No part of the external walls of the completed outbuilding will have a “*rough cement finish*” - the areas of “*rough cement finish*” presently to be seen are visible only because the existing timber roof-structure has not been slated-over.

The gutter to collect water from the roof-plane facing the neighbour will not cross the party-boundary and the Agent has confirmed that it will connect to a downpipe to the applicant’s side of the boundary-wall.

In addition, a concern was raised at the previous Committee Meeting regarding car parking provision. In respect of this, the outbuilding for which approval is now sought will stand 2.4m nearer to the highway than did the pre-existing outbuilding. The submitted plans demonstrate that this does not result in the loss of any parking spaces - it remains the case that the area available for parking can easily accommodate two cars.

Officers remain of the view that approval should be granted for the outbuilding as now proposed, subject to Conditions.

3. **SUMMARY REASON FOR APPROVAL**

The proposed development is acceptable in principle and, subject to the conditions, will not unduly affect any heritage asset or neighbour amenity. The development is therefore considered to accord with the National Planning Policy Framework and Policies AVP6 / 1 / 16 / 23 of the Council’s adopted Core Strategy (2011) and its adopted Alterations and Extensions to Residential Properties SPD (2008).

4. **RECOMMENDATION**

Planning Application 2019/0501

That Permission be granted, subject to the following Conditions:

1. The outbuilding hereby permitted shall be completed in not more than 4 months from the date of this decision, in accordance with the following drawings/documents, unless otherwise required by the conditions below:

| Title | Drwg No | Date Recd |
|------------------------------|-----------------|--------------|
| Outbuilding Plans | R-0585-10 rev E | 07 / 07 / 20 |
| Outbuilding Plan & Elevation | R-0585-11 | 07 / 07 / 20 |

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act 1990 and to ensure the development complies with the approved plans and submitted details.

2. The roof of the outbuilding hereby permitted shall be covered with natural slates matching in size, colour and surface-finish those on the roof of the house.

Reason: In the interests of visual amenity.

3. Prior to first use of the outbuilding hereby consented, the section of boundary wall at the North end, the upper 0.5m of which has tumbled over, shall be re-built with stone

and mortar to match the wall, using the loose stones now resting against the side of the neighbour's garage as far as reasonably practicable, any shortfall in stone to be made good using locally-sourced natural stone to match.

Reason: To preserve and enhance the character and appearance of a wall bounding Gregory Fold Barn, a Grade II Listed Building.

Listed Building Consent Application 2019/0502

That Listed Building Consent be granted, subject to the following Conditions:

1. The outbuilding hereby consented shall be completed in not more than 4 months from the date of this decision, in accordance with the following drawings/documents, unless otherwise required by the conditions below :

| Title | Drwg No | Date Recd |
|------------------------------|-----------------|--------------|
| Outbuilding Plans | R-0585-10 rev E | 07 / 07 / 20 |
| Outbuilding Plan & Elevation | R-0585-11 | 07 / 07 / 20 |

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act 1990 and to ensure the development complies with the approved plans and submitted details.

2. The roof of the outbuilding hereby consented shall be covered with natural slates matching in size, colour and surface-finish those on the roof of the house.

Reason: In the interests of visual amenity.

3. Prior to first use of the outbuilding hereby consented, the section of boundary wall at the North end, the upper 0.5m of which has tumbled over, shall be re-built with stone and mortar to match the wall, using the loose stones now resting against the side of the neighbour's garage as far as reasonably practicable, any shortfall in stone to be made good using locally-sourced natural stone to match.

Reason: To preserve and enhance the character and appearance of a wall bounding Gregory Fold Barn, a Grade II Listed Building.