

<b>Application Number:</b>	2024/0284	<b>Application Type:</b>	Householder
<b>Proposal:</b>	Proposed rear dormer and associated bedroom, kitchen extension and toilet/utility room.	<b>Location:</b>	165 Bacup Road Rawtenstall Rossendale Lancashire BB4 7NW
<b>Report of:</b>	Head of Planning and Building Control	<b>Status:</b>	For publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	03.09.2024
<b>Applicant:</b>	Mrs Rukhsana Akhtar	<b>Determination Expiry Date:</b>	02.09.2024 EoT agreed to 06.09.2024
<b>Agent:</b>	Mr D Hancock		

<b>Contact Officer:</b>	<b>Claire Bradley</b>	<b>Telephone:</b>	<b>01706 238636</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>	<b>Yes – Agent is Councillor Hancock</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

Approval subject to conditions contained in this report.

## 2. APPLICATION SITE

The application site is a two storey stone built terraced house with a natural slate roof located within a terraced row.

The neighbouring property (163), has a rear dormer along with others on the block. In addition the neighbouring property has a single storey extension extending to the rear yard wall.

The site is within the urban boundary.

## 3. RELEVANT PLANNING APPLICATION HISTORY

No previous applications

## 4. PROPOSAL

The application seeks permission for the provision of a rear dormer that would enable a further bedroom to be created at second floor level.

The proposed dormer is set back from the eaves by 0.3 metres, has a height of 1.39m, a depth of 2.5m and extends 3.8m across the roof

The proposed materials are slate for the new dormer front and cheeks and the dormer roof being bitumen felt.

The proposed single storey rear extension, projects 3 metres from the existing mono pitch extension, and has a width of 2.6 metres. The extension will have a pitched roof. A new window will be introduced in the extension facing towards the neighbouring property.

## 5. POLICY CONTEXT

### National Planning Policy Framework

Section 2 Achieving Sustainable Development  
Section 4 Decision Making  
Section 5 Delivering a Sufficient Supply of Homes  
Section 12 Achieving Well Designed Places

### Development Plan

#### Local Plan Policies

Policy SS: Spatial Strategy  
Policy SD1: Presumption in Favour of Sustainable Development  
Policy SD2: Urban Boundary and Green Belt  
Policy HS9: House Extensions  
Policy ENV1: High Quality Development in the Borough  
Policy TR4: Parking

## **Other material considerations**

National Planning Practice Guidance  
Alterations and Extensions to Residential Properties SPD

### **6. CONSULTATION RESPONSES**

LCC Highways – No objection

Cadent Gas – No comments received

### **7. REPRESENTATIONS**

To accord with the General Development Procedure Order a site notice was posted on 23.07.2024 and properties were notified by letter sent out on 10.07.2024.

No responses have been received.

### **8. ASSESSMENT**

#### **Effect of the Proposal on the Character and Appearance of the Application Property and the Streetscene**

The Framework states decisions should ensure developments:

- a) *“Will function well and add to the overall quality of the area...*
- b) *Are visually attractive a result of good architecture...*
- c) *Are sympathetic to local character and history, including the surrounding built environment...”*

Policy HS9 (House Extensions) of the adopted Rossendale Local Plan is more specific and states:

*“Permission will be granted for the extension of dwellings provided that the following criteria are satisfied:*

- a) *The extension respects the existing house and the surrounding buildings in terms of scale, size, design, fenestration (including dormer windows) and materials, without innovative and original design features being stifled;”*

Strategic Policy ENV1 of the Rossendale Local Plan also adds:

*“All proposals for new development in the Borough will be expected to take account of the character and appearance of the local area, including the following criteria:*

- a) *Siting, layout, massing, scale, design, materials, lighting, building to plot ratio and landscaping;*
- b) *Safeguarding and enhancing the built and historic environment”*

The proposed dormer is set back from the eaves by 0.3 metres, has a height of 1.39m, a depth of 2.5m and extends 3.8m across the roof.

The proposed materials are slate for the new dormer front and cheeks and the dormer roof being bitumen felt.

The proposed rear extension, projects 3 metres from the existing mono pitch extension, and has a width of 2.6 metres. The extension will have a pitched roof.

The proposed materials are render for the walls and natural slate to the roof.

It is considered that the design, scale, and massing is acceptable and in keeping with the character of the original dwelling and would not unduly dominate the original dwelling.

In light of the above the proposed development is in accordance with the Council's Alterations and Extensions to Residential Properties SPD and Policies HS9 and ENV1 of the Rossendale Local Plan and the NPPF.

### **Neighbour Amenity**

Policy HS9 of the Rossendale Local Plan advises that permission will be granted for the extension of dwellings provided that the following criteria are satisfied including:

*“b) There is no unacceptable adverse effect on the amenity of neighbouring properties through overlooking, loss of privacy or reduction of daylight;”*

The Alterations and Extensions to Residential Properties SPD advises in Section 2 that:

*“any application for a domestic extension will not normally be permitted unless the proposal:*

- *Does not invade privacy through direct overlooking from windows or balconies;”*

There are no properties to the rear of the development, which could be affected by the proposed dormer, however, this single storey extension introduces a new window facing the windows in the side elevation of the neighbouring property. The window would serve a passageway to a wc and a condition will be included requiring obscure glazing.

Given the location, size and height of both the dormer and the single storey rear extension in relation to neighbouring properties, it is considered that day light at neighbouring houses would not be restricted to the detriment of residential amenity.

Based on the current policies in place, the development would be in accordance with the Council's Alterations and Extensions to Residential Properties SPD and Policies HS9 and ENV1 of the Rossendale Local Plan and the NPPF.

### **Access, Parking and Highway Safety**

The house currently benefits from no in-curtilage car parking spaces - a position that will not change.

The proposed development includes an additional bedroom, but is unlikely to give rise to significant numbers of additional vehicular trips or to significantly increase demand for on street car parking.

It should also be noted that the site is located within a sustainable location and that on street parking is available in the immediate locale.

LCC Highways have no objection to the proposed development.

The proposal is acceptable with regard to parking and highway safety.

## 9. CONCLUSION

The proposed development is acceptable in terms of principle, visual amenity, neighbour amenity, flood risk and highway safety and therefore is acceptable and in accordance with the Rossendale Local Plan and the NPPF.

## 10. RECOMMENDATION

That planning permission is granted subject to the following conditions:

## 11. 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 shall be carried out in accordance with the following:

Application Form received 21.06.2024

Location Plan received 07.06.2024

Drawing No: 16017 1 - Existing Layouts received 07.06.2024

Drawing No: 16017 3 – Existing and Proposed Elevations received 07.06.2024

Drawing No: 16017.2 - Proposed Layouts received 07.06.2024

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

3. No materials shall be used on the elevations of the proposed development other than those referred to on the application form and drawings.

*Reason: In the interests of visual amenity of the area and ensuring that the appearance of the development is acceptable.*

4. The new window proposed in the side elevation of the dwelling shall be fitted with obscure glass and shall be non-opening below a height of 1.7m from the associated floor level. Obscure glazing and a non-opening window in line with the above shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the Local Planning Authority.

*Reason: In the interests of the privacy of occupiers of neighbouring property.*

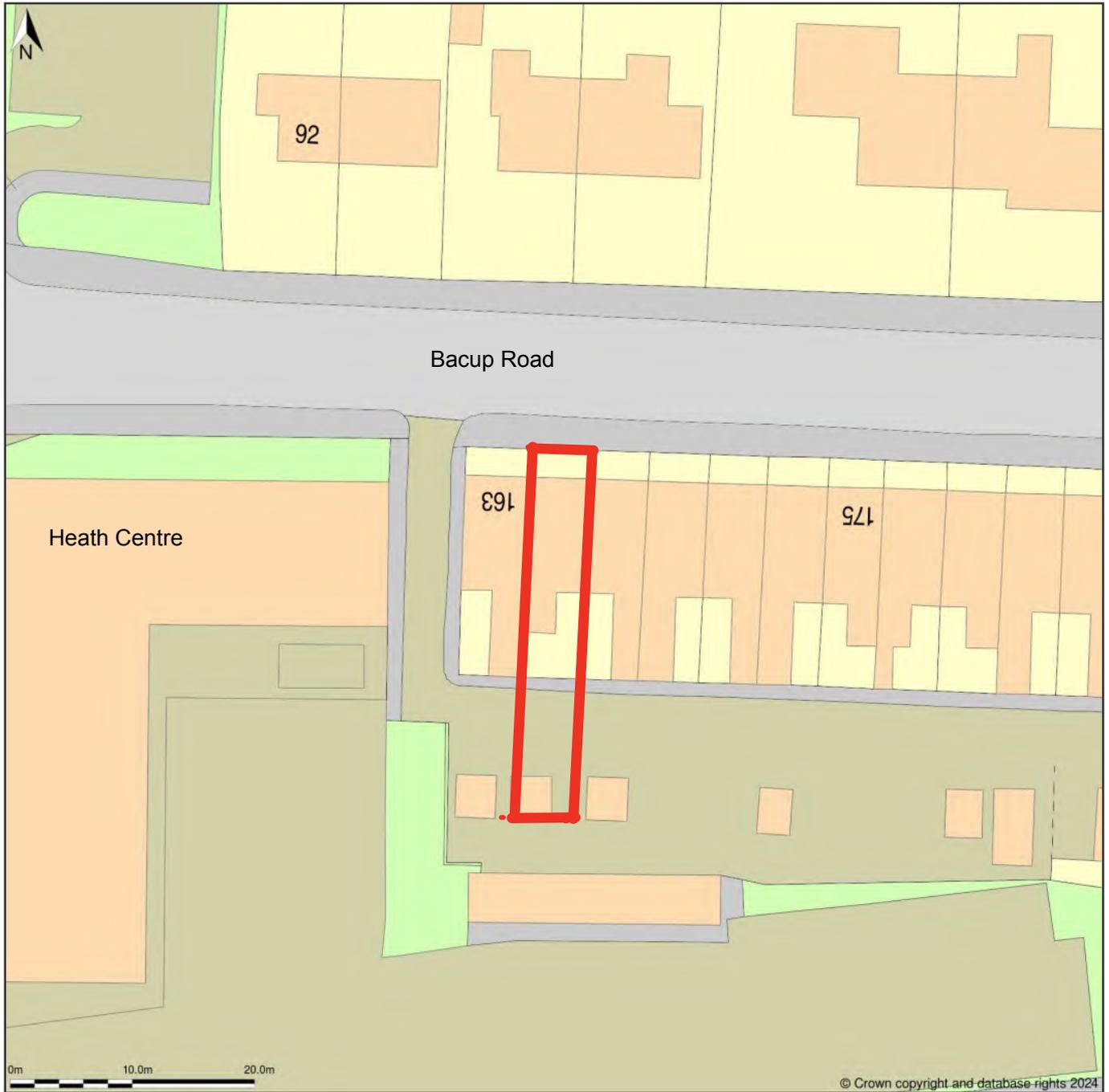
## 12. INFORMATIVES

1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.
2. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions)

Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

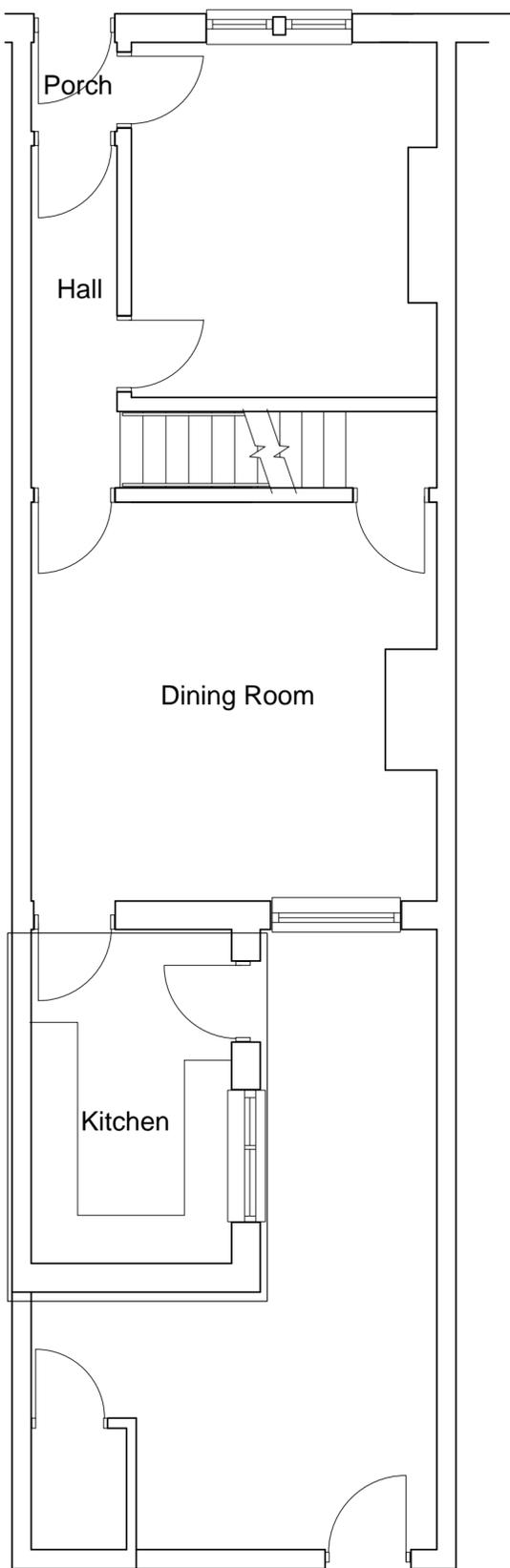
165, Bacup Road, Rawtenstall, Rossendale, Lancashire, BB4 7NW



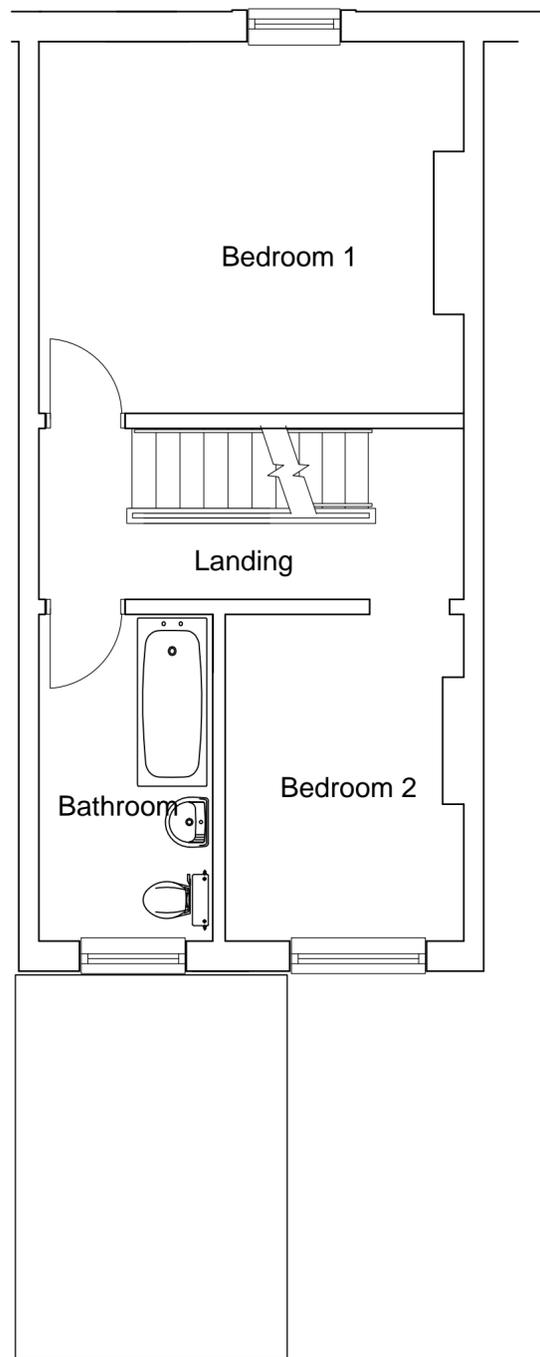
Site Plan (also called a Block Plan) shows area bounded by: 381575.04, 422702.05 381665.04, 422792.05 (at a scale of 1:500), OSGridRef: SD81622274. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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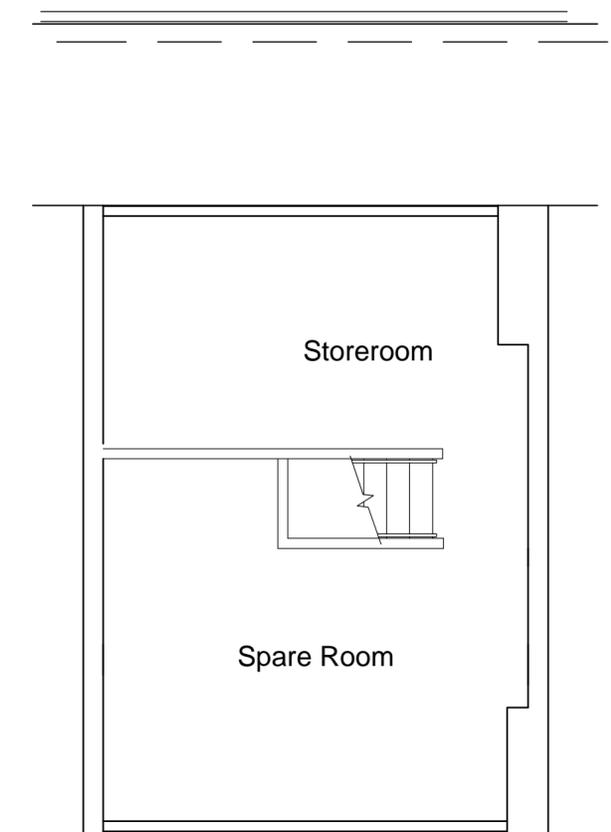
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Existing Ground Floor



Existing First Floor



Existing Second Floor

Drawing  
Existing Layouts

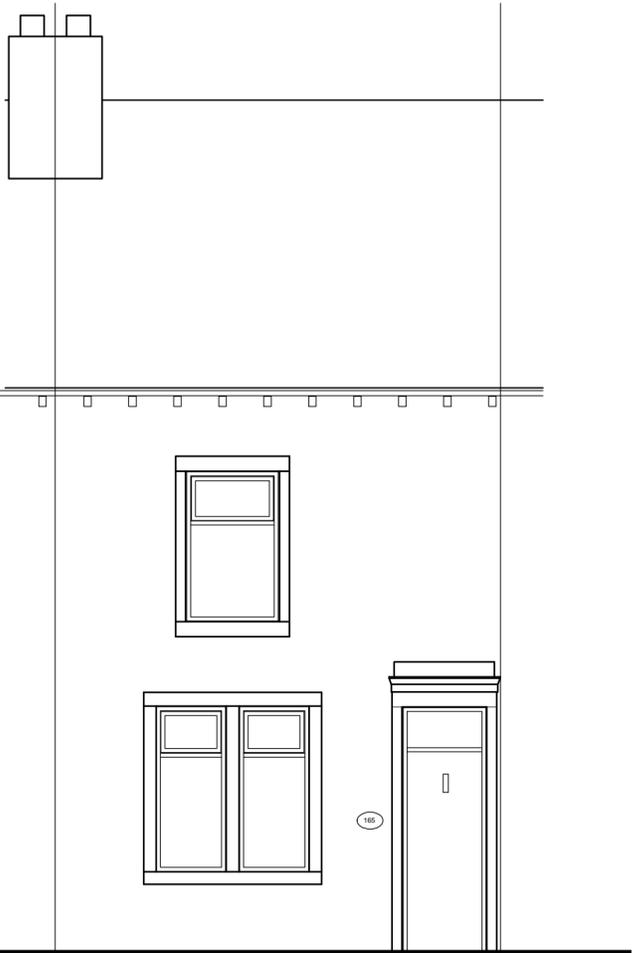
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Rawtenstall

Client

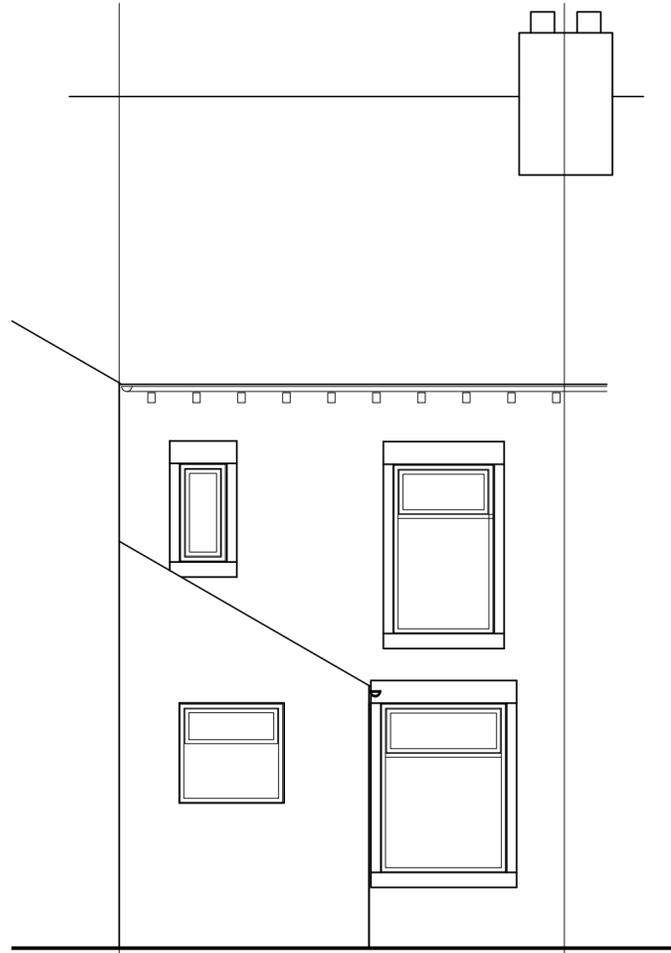
Dwg No  
16022.1

Scale  
1.50

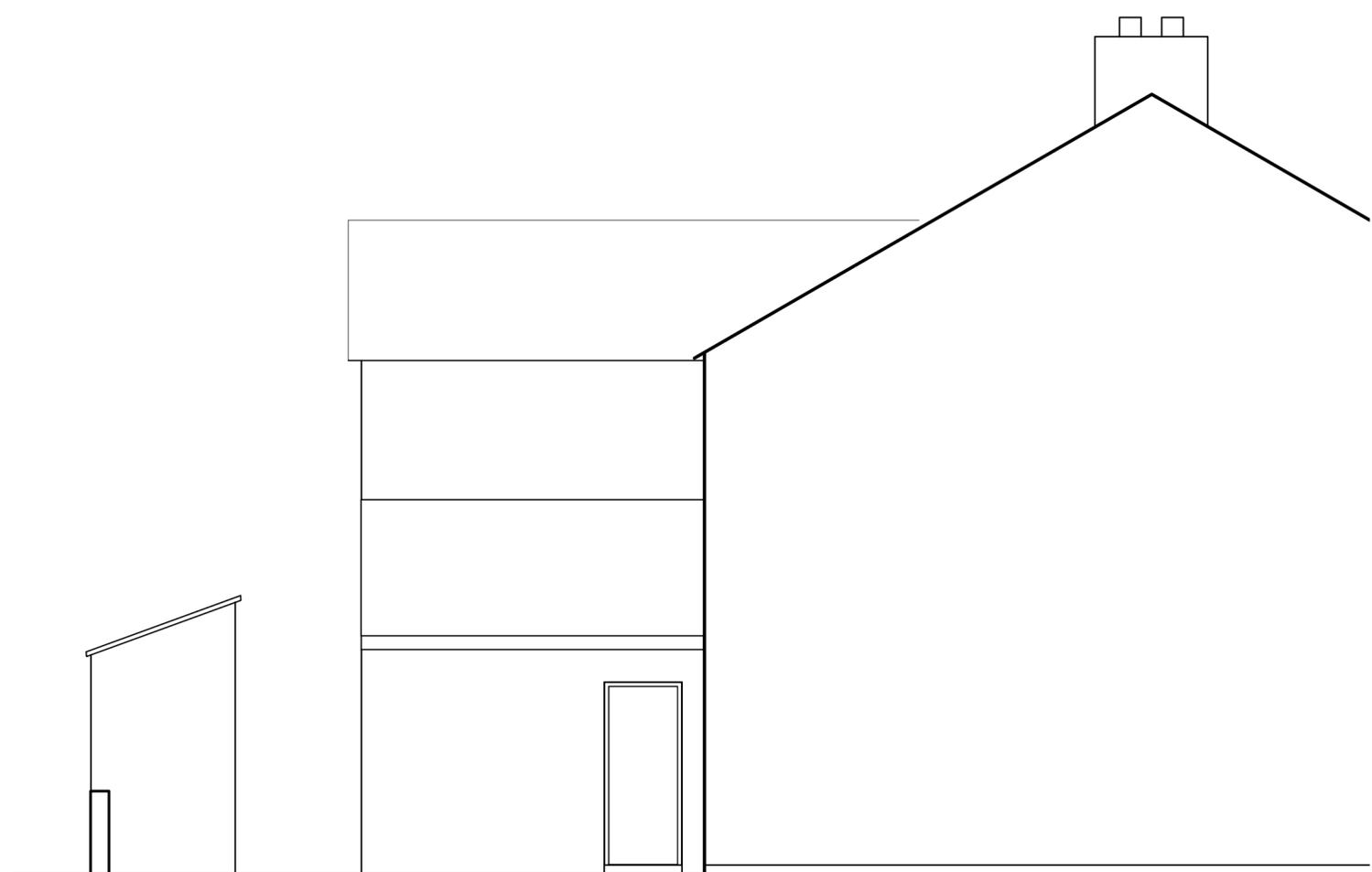
**DJ Hancock Design**  
**22 Croft Street**  
**Bacup**  
Tel 01706 563502  
Mob 07599 008 791



Existing Front Elevation



Existing Rear Elevation



Existing Side Elevation

Drawing  
Existing Elevations

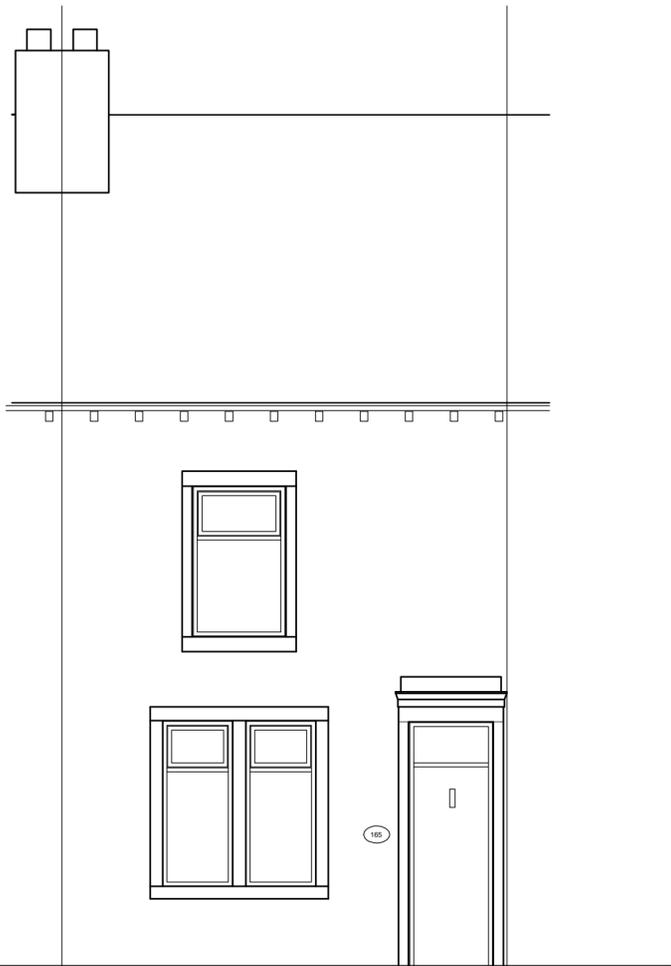
Address  
165 Bacup Road Rawtenstall

Client

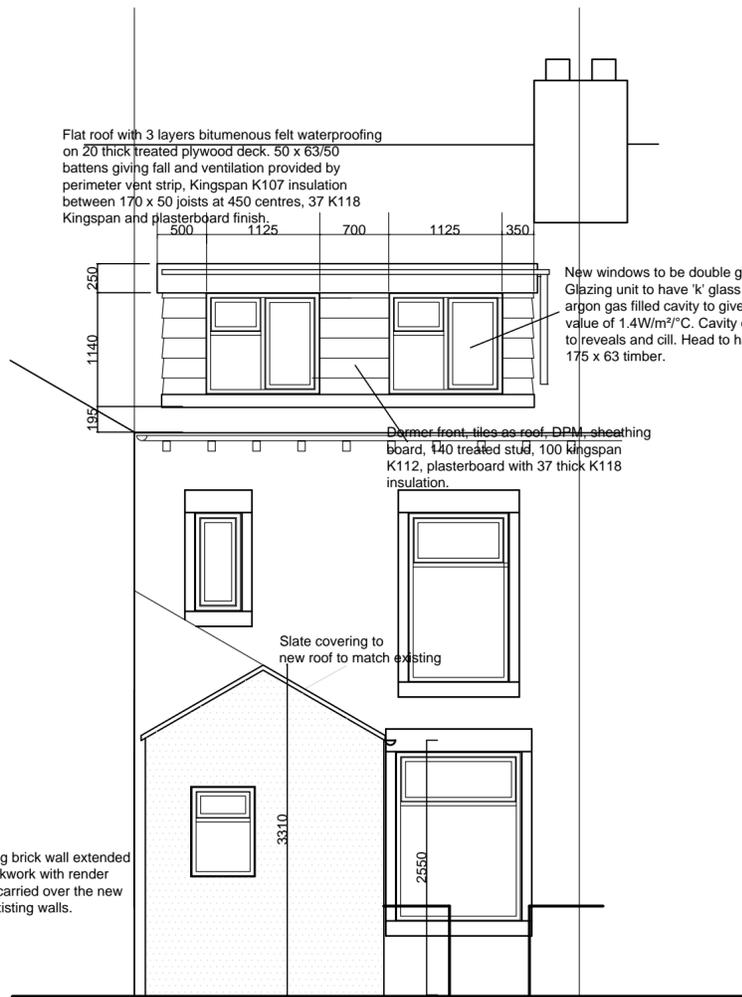
Dwg No  
16022.2

Scale  
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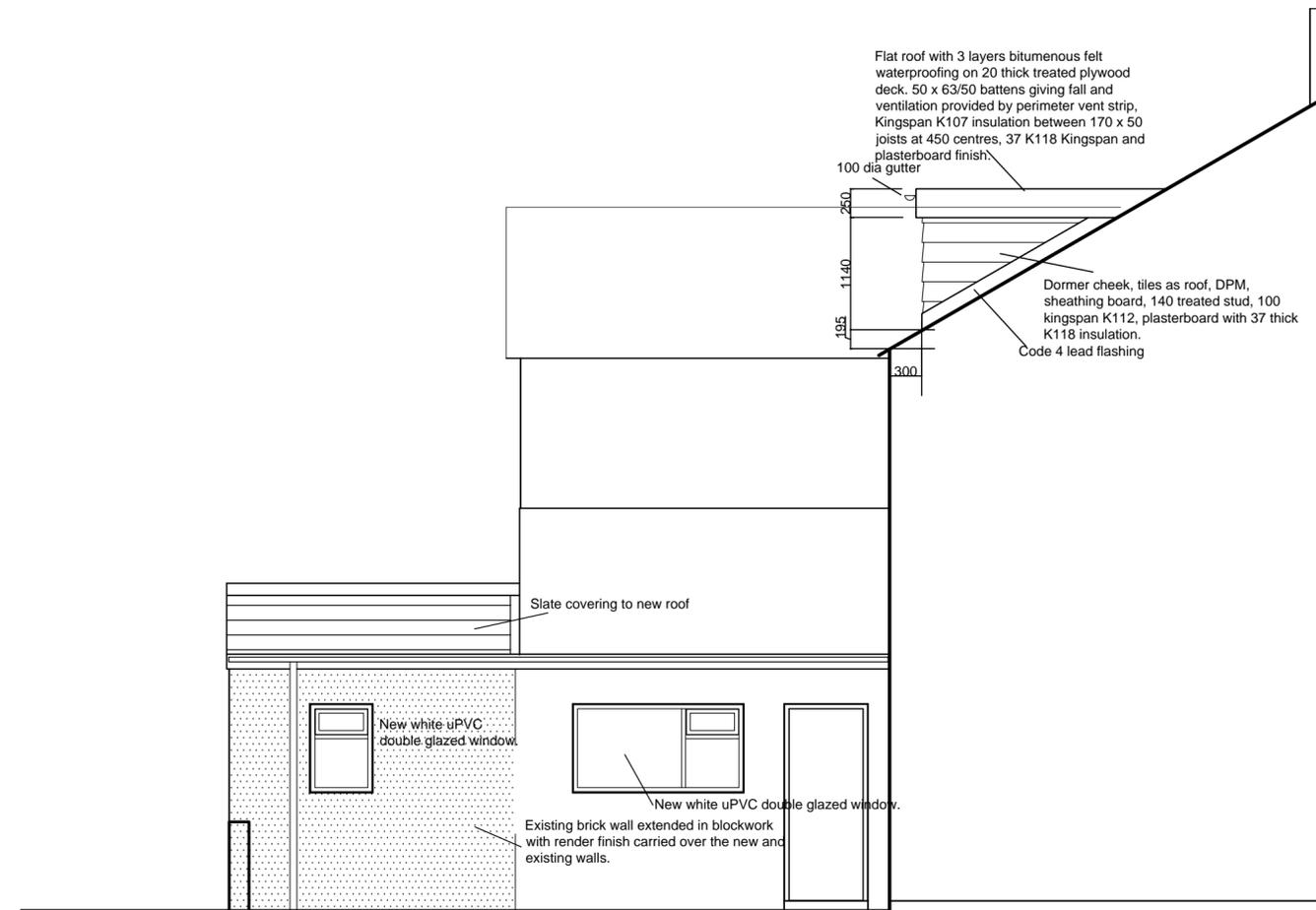
**DJ Hancock Design**  
**22 Croft Street**  
**Bacup**  
Tel 01706 563502  
Mob 07599 008 791



Proposed Front Elevation



Proposed Rear Elevation



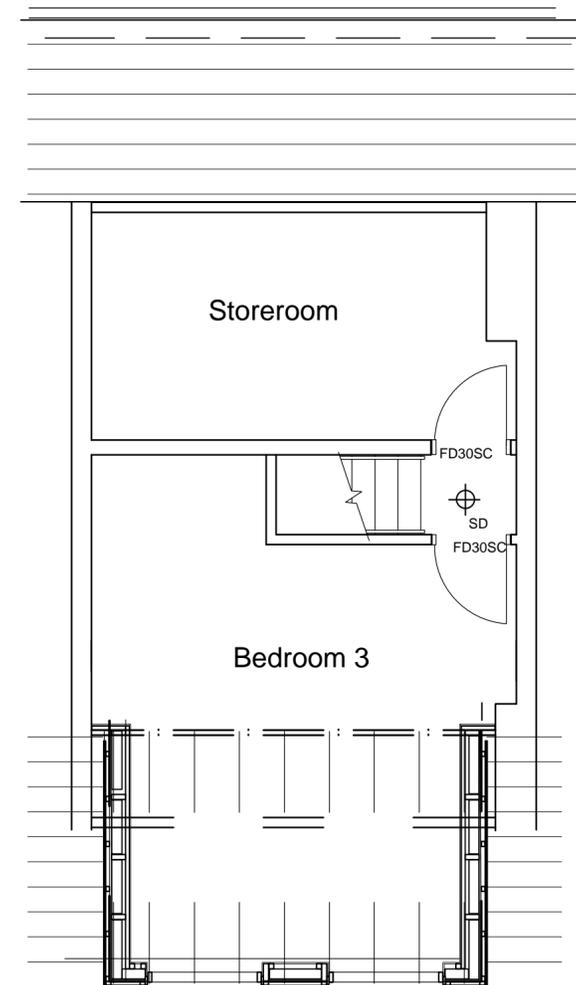
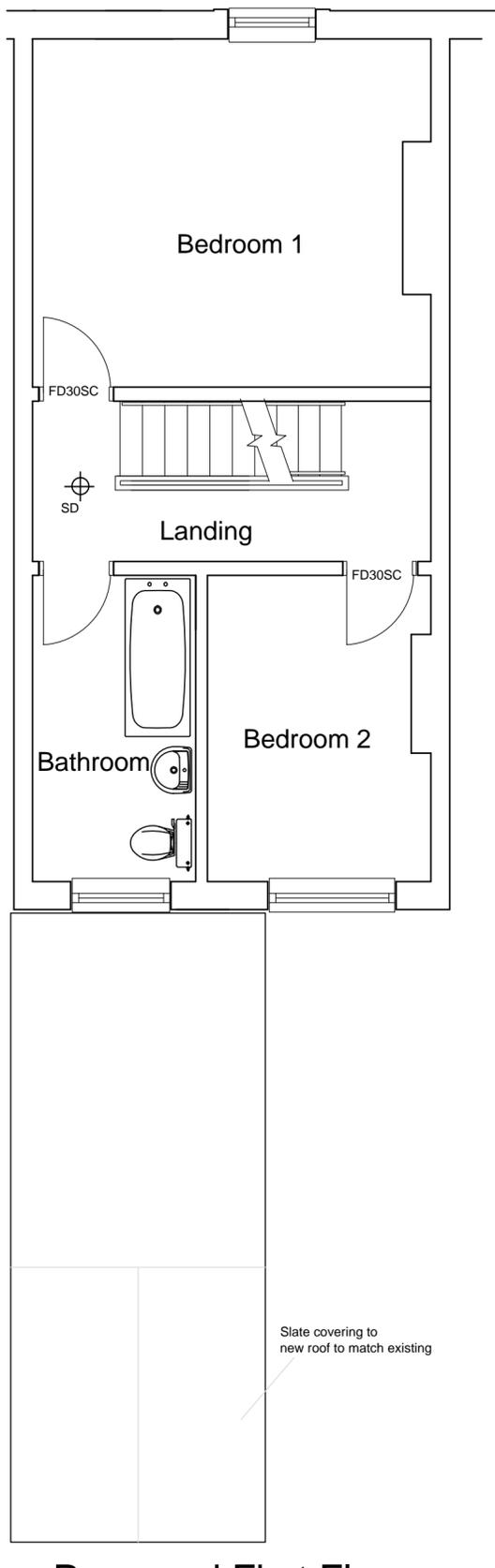
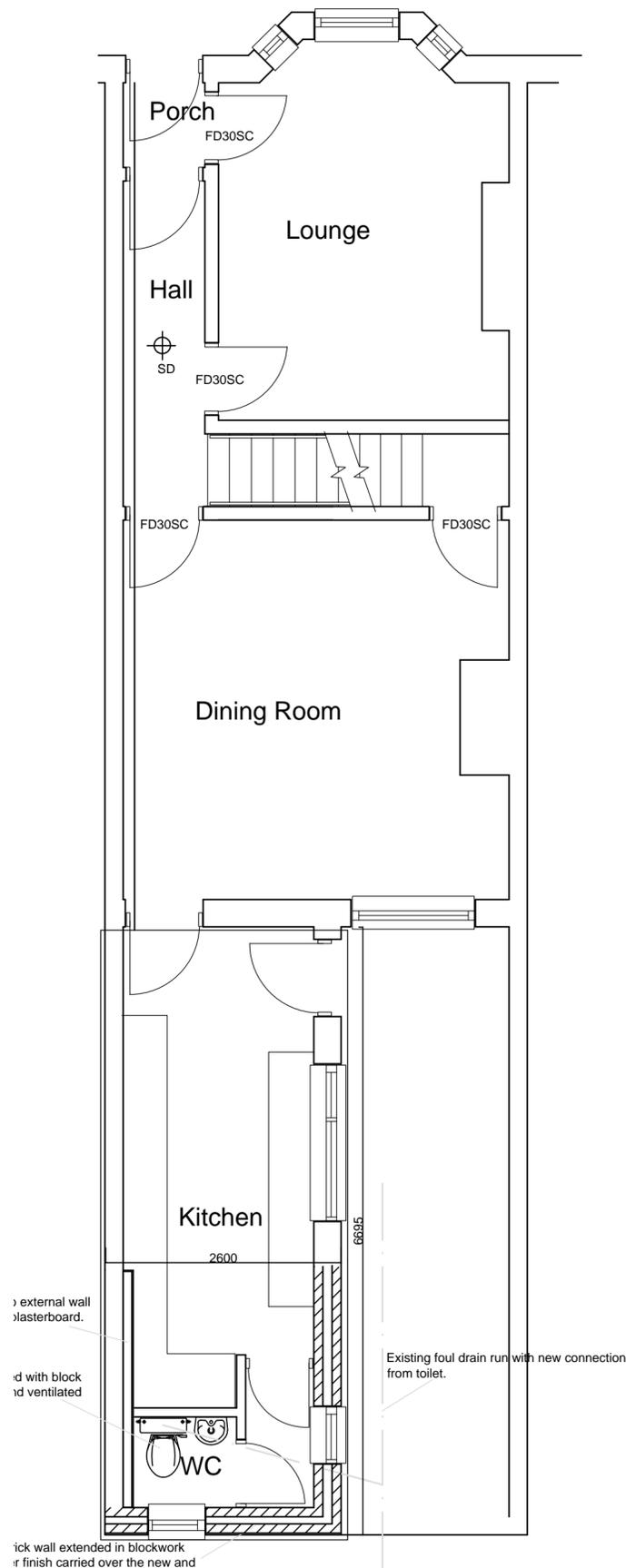
Proposed Side Elevation

Drawing  
 Proposed and Existing Elevations  
 Address  
 165 Bacup Road, Rawtenstall

Client

Dwg No 16022.4 Scale 1:50

**DJ Hancock Design**  
**22 Croft Street**  
**Bacup**  
 Tel 01706 563502  
 Mob 07599 008 791



Dormer front and cheeks, tiles as roof, DPM, sheathing board, 140 treated stud, 100 kingspan K112, plasterboard with 37 thick K118 insulation.

### Proposed Second Floor with Dormer

Drawing  
Proposed Layouts  
Address  
189 Bacup Road Rawtenstall  
Client  
Dwg No  
16017.2  
Scale  
1.50  
**DJ Hancock Design**  
22 Croft Street  
Bacup  
Tel 01706 5635021  
Mob 07599 008 791





