
Appeal Decision

Site visit made on 30 May 2017

by Philip Major BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5th June 2017

Appeal Ref: APP/B2355/D/17/3172591

35 Haworth Avenue, Rawtenstall, Rossendale BB4 8SS.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Vincent Joyce against the decision of Rossendale Borough Council.
 - The application Ref: 2016/0635, dated 22 December 2016, was refused by notice dated 6 March 2017.
 - The development proposed is 2 ground floor bedrooms, toilet and utility space; single storey extension.
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Decision

1. The appeal is allowed and planning permission is granted for 2 ground floor bedrooms, toilet and utility space; single storey extension at 35 Haworth Avenue, Rawtenstall, Rossendale BB4 8SS in accordance with the terms of the application, Ref: 2016/0635, dated 22 December 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) Before the development hereby permitted is first commenced full details of existing and proposed ground levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, and full details of any retaining structures or stepped access points, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plans: 7025/1 existing layout and elevations; 7025/1 proposed layout and elevations; 7025/3 existing site layout; 7025/4 proposed site layout.

Main Issue

2. The main issue in the appeal is the effect of the proposed development on the character and appearance of the host property and surrounding area.

Reasons

3. This proposed extension would wrap around the side and rear of the existing dwelling. The proposed building materials would match those of the house and
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I have no concerns that these would be appropriate. The hipped roof treatment, albeit at a lesser angle than the main house, would also be satisfactory. I note that the Council does not disagree with this position.

4. I acknowledge that the side element of the extension would be located close to the site boundary at one point, but given the irregular shape of the plot it would be significantly further from the boundary at the front. Although the Council's Alterations and Extensions to Residential Properties Supplementary Planning Document (SPD) recommends that a gap of 2m is retained between extensions and boundaries on corner plots it seems to me that such guidance cannot cover every eventuality. In this case the shape of the garden means that a significant gap and significant space would still remain over much of the length of the extension. I do not, therefore, consider that the SPD should militate against this proposal since there would still be a sense of spaciousness retained over a great deal of the front and side garden.
5. I do not agree that the 'wrap around' form of the development would lead to an incongruous relationship with the host dwelling. Although a corner plot it is not especially prominent and the fact that it would be single storey would reduce its prominence. In my view the extension would sit comfortably alongside the house (the rear portion being particularly unobtrusive) and would not result in detriment to either the character or appearance of the house or its surroundings. In my judgement the extension would respond in an appropriate manner to its location and setting. As a result I am satisfied that it would not be in conflict with the Core Strategy policies cited in the refusal notice (1, 23 and 24) which, taken together, seek to ensure that new development is of a high standard of design which responds well to local context and character (amongst other things). Similarly I am content that the development would not run counter to the aims of the SPD.

Other Matters

6. The Council's second reason for refusal relates to parking provision. There are currently 2 parking spaces at the front and a small garage to the rear. Whilst the garage may be small it seems to me that it would accommodate a small car, and in any event would accommodate a larger vehicle with the door open such that the vehicle was parked partially on the driveway. There are therefore 3 spaces available, which meets the requirements of the Council's parking standards. Consequently this is not a matter which carries any weight against the proposal.
7. I have also noted the concerns relating to the stability of the highway close to the extension. However this is a matter which can be covered by an appropriate condition such that the integrity of the highway is protected.

Conditions

8. In addition to the condition noted above the Council has suggested that conditions should be imposed which require matching materials and compliance with the submitted plans. In order to ensure a satisfactory form of development I agree that such conditions are reasonable and necessary.

Conclusion

9. For the reasons given above I conclude that the appeal should be allowed.

Philip Major INSPECTOR