

Appeal Decision

Site visit made on 27 September 2023

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th October 2023

Appeal Ref: APP/B2355/D/23/3324446

106 Haslingden Old Road, Rawtenstall, Rossendale, Lancashire BB4 8SA

- 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 Rebecca Kershaw against the decision of Rossendale Borough Council.
 - The application Ref 2023/0096, dated 1 March 2023, was refused by notice dated 30 May 2023.
 - The development proposed is a second storey side extension on top of the existing utility room.
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Decision

1. The appeal is allowed and planning permission is granted for a second storey side extension on top of the existing utility room at 106 Haslingden Old Road, Rawtenstall, Rossendale, Lancashire in accordance with the terms of the application, Ref 2023/0096, dated 1 March 2023, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: JCBD-22-298-1 R1, 2A, 2B and 3 R1.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The proposal would result in a first floor extension to the side of this dwelling. The design respects the roof form of the property and would be built in matching materials. It would be set back from the frontage so reducing its prominence. The set back together with the low eaves to the side, would ensure that the dwelling would continue to be viewed as a distinct and separate property from its neighbour.
 4. Although the houses along this particular section of road are closely spaced, their individual designs and distinct forms ensure that they are viewed as a series of closely positioned semi-detached properties rather than a terrace. The proposed design, although bringing the properties closer together at first floor
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- level, would maintain this characteristic. This is not a location where the gaps between dwellings provide a distinctive rhythm of buildings and spaces.
5. Overall, the proposed design has been well thought out to take into account the relationships between dwellings and would result in a form of development that would be in keeping with the character of the area. It would not therefore result in harm and would represent a good standard of design in this particular context. It would not conflict with the design aspirations of policies HS9(a) or ENV1 of the Rossendale Local Plan 2019 to 2036 (2021). As the policies generally accord with the design requirements of the *National Planning Policy Framework*, I afford them full weight.
 6. Reference has been made to the council's Alterations and Extensions to Residential Properties Supplementary Planning Document 2008. This seeks to prevent the loss of gaps between buildings (terracing effect), particularly where gaps are important to the visual character of the street scene. The gaps between these five sets of semi-detached properties are limited and not a distinctive feature of the street. Although not meeting the full requirements of the guidance, the proposed design would ensure that the distinction between the neighbouring buildings would be maintained and that the character of the buildings and the street scene would not be harmed.
 7. The council have referred to the potential for loss of greenery from the frontage as a contributing factor to their objection. The plans relate to the side extension but do show the potential for a third car to be parked off the highway. The property already has a significant area for parking and I am not satisfied that the proposal would result in the need for further parking or that the remaining greenery would be lost. There are currently no controls over this area of garden and in any event, although the loss of soft landscaping would be regrettable, it is not a matter that would significantly weigh against the proposal given the existing context.
 8. Given my findings and as there are no other matters that weigh significantly against the proposal, I allow the appeal.
 9. I have imposed conditions relating to the commencement of development and the details of the approved plans for the avoidance of doubt and in the interests of proper planning. The plans set out that the materials would match so a condition in this regard is not necessary.

Peter Eggleton

INSPECTOR