

Application Recommended for Approval.

APP/2008/0399

Cliviger with Worsthorne Ward

Full Planning Application

Proposed erection of two storey extensions.

COACH HOUSE COTTAGE, RED LEES ROAD, CLIVIGER

Background:

An objection has been received.

Summary of Reason for Recommendation:

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

E15 – Locally important buildings, features and artefacts

GP2 - Development in the Rural Areas

GP3 - Design and Quality

H13 - Extensions and conversion of existing single dwellings

Site History:

84/0014 – conversion of coach house with first floor flat into 2 separate dwellings – c/c

Consultation Responses:

Parish Council – no adverse comment – please ensure quality of work in practice matches that depicted on plans.

Next-door neighbour – objects to the proposals for the following reasons;

- a) Two large windows within my sun lounge will be blocked.
- b) The area affected on my sun lounge is south facing and therefore where the direct sunlight enters.
- c) There will be increased shadowing along the rest of the south facing elevation, further reducing the light levels.
- d) I will be unable to maintain the area behind the proposed bathroom wall, as the resultant gap is less than 450mm. Cleaning the windows and repairs will be impossible.
- e) Due to the relatively low ceiling height of the sun lounge, there is no opportunity for light to enter the room above the proposed bathroom roof level.
- f) Considers the proposed bathroom and bedroom to be a direct infringement on her visual amenity.
- g) An extract from the HM Land Registry in respect of her property relates to right to light.

Planning and Environmental Considerations:

The proposals involve the erection of two 2-storey extensions; one on the gable elevation and one on the rear elevation. The property is Locally Listed.

The property was originally a coach house and permission was granted in 1984 to convert the coach house with flat above into two dwellings. The application property is the smallest of the two. The larger neighbours house had bedrooms on the ground floor and living accommodation on the 1st floor including a sun lounge at the rear with windows on three elevations.

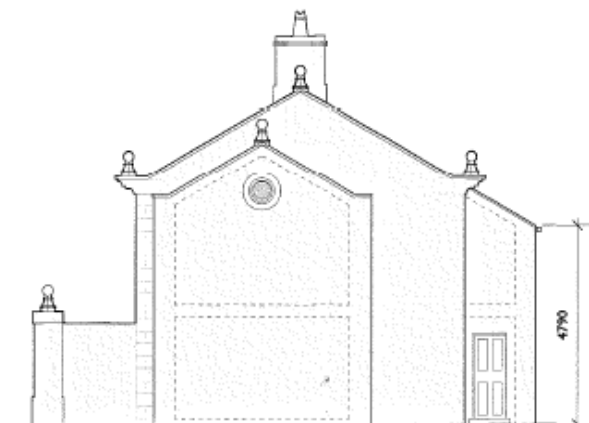
The application property has limited outdoor space which includes a small yard area to the rear with a single storey hallway extension. The sun lounge at the neighbouring property has 5 windows on the elevation overlooking the rear of the application property two of them are above the existing hallway. The neighbours property includes within its boundary land adjacent to the applicants hallway and yard area.

The proposed 2-storey extension on the rear elevation involves the demolition of the existing single storey hall extension and its replacement with a larger 2-storey extension to provide a hallway and extension to the kitchen on the ground floor and an extension to the bathroom and one of the bedrooms on the 1st floor. The extension which is 1.72m (approx 5' 7") in width will extend up in front of two of the sun lounge windows on this elevation.



1st floor sun lounge next door - with windows on three elevations.

gable elevation



Comments on neighbours objections:

Two of the five windows on this elevation will be affected by the extension, light/sunlight will enter the sun lounge through the other three windows and windows on the other two elevations.

The 450mm gap between the two properties will be adequate to carry out maintenance work (this is not a material consideration).

Rights to light specified in the neighbours deeds are a separate matter and between the neighbours.



The 2-storey extension at the rear will come in front of the 1st floor sun lounge window at the property next door. A sun lounge however is not classed as a habitable room and the occupiers of the next-door sun lounge will still have three windows of the sun lounge on this elevation left un-obscured. The sun lounge has windows on three elevations. Some loss of light will occur as the extension is to the south. Any loss of light and outlook is considered to be regrettable, however is not significant enough to warrant a refusal. (It is common in the normal circumstances of a sun lounge on the ground floor for the neighbour to build an extension adjacent to the sun lounge).

It is also proposed to remove the existing conservatory on the gable elevation and to build a 2-storey extension in its place to provide a lounge on the ground floor and an additional bedroom on the first floor. This will not affect neighbours.

The extensions have been designed by an architect and are sympathetic and in keeping with the existing house. The proposed materials are stone/slate to match the existing building. The side extension has been set back at the corners to allow the quoins to continue through.

The proposed extensions are considered to be acceptable and in accordance with the Local Plan policies listed above.

Recommendation: That the application be approved subject to the following condition:

The development must be begun within three years of the date of this decision.

Reason:

Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.