

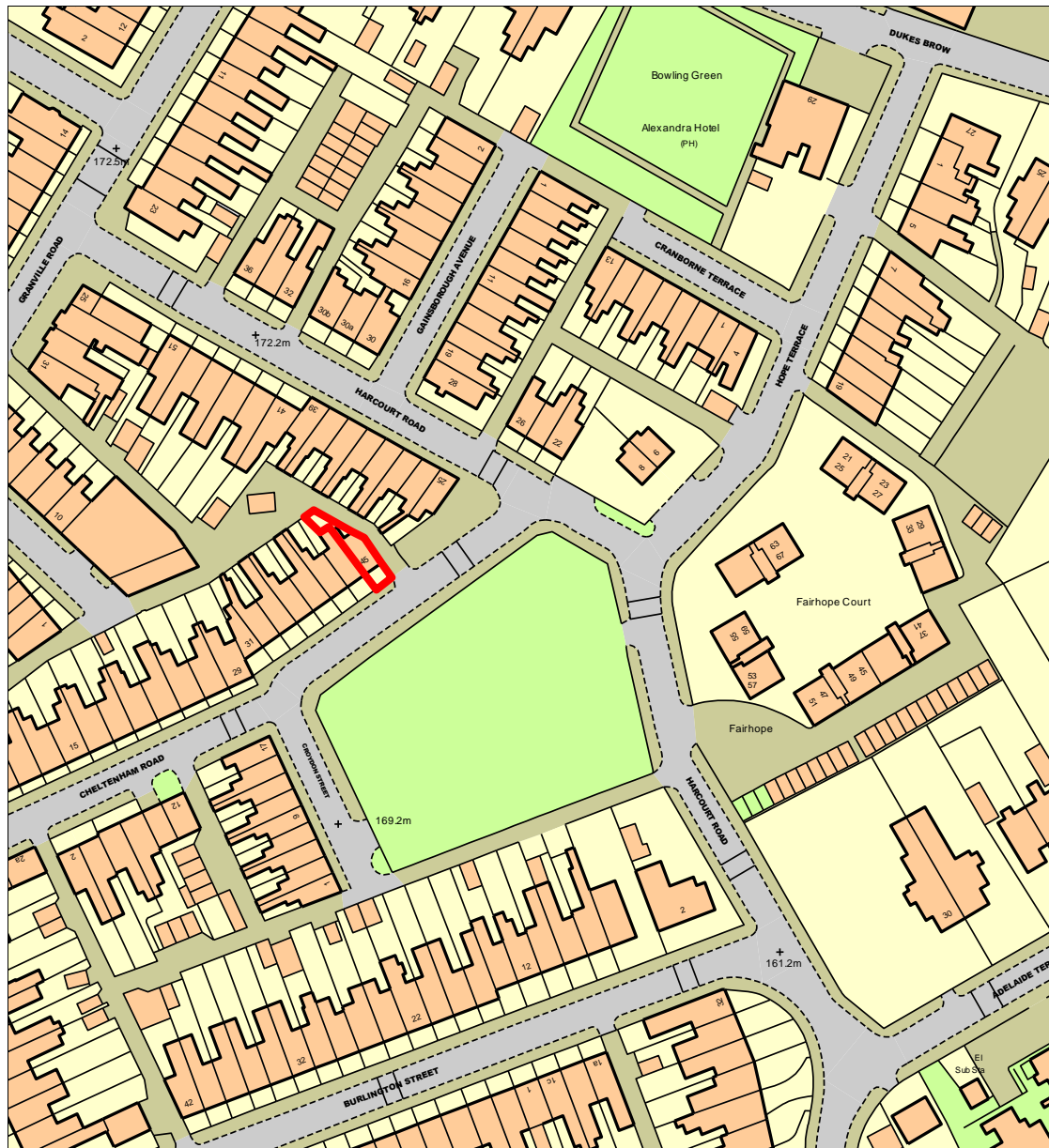
Proposed development: Full Planning Application (Retrospective) for Retention of single storey extension to rear.

Site address: 45 Cheltenham Road, Blackburn, BB2 6HR

Applicant: Mr Zarif Mohammed

Ward: Corporation Park

Councillor Arshid Mahmood	
Councillor Abdul Rehman	
Councillor John Wright	



1.0 Details of application

1.1 This application is referred to Committee due to the receipt of an objection.

1.2 The application site is an end terrace dwelling located on a residential street. This end plot is built at an angle, featuring a rear yard area and a stepped boundary with the attached objecting property, No.43 Cheltenham Road. Due to the angled nature of the property, there is restricted space within the current yard area.

1.3 Planning permission was originally sought for a 7.6m rear extension, this projection was considered to result in limited amenity space at the rear with approximately 2.5m² yard space. Therefore an amendment was sought, to reduce the level of projection. Several amendments have been received due to inaccuracy of the drawings. Despite given advice not to commence the works, the applicant has commenced the construction of the rear extension. The amended scheme now applies for a retrospective single storey rear extension projecting 6.9m from the rear existing kitchen/lounge wall. The proposal has been designed to form a dog leg feature, with the length from the outer wall measuring 6.9m and the length against the stepped boundary with the neighbouring property measuring 7.3m and the overall width measuring 3.3m. The proposal would comprise an extended kitchen/dining area and a wet room which would be constructed adjacent to the party boundary, accessed internally from the proposed kitchen area. Due to the stepped nature of the property, the roof would be mono pitched at two angles, the kitchen and dining area would be a lean to brought in line with the existing roof with the neighbouring property's kitchen outrigger. The roof to the rear end of the kitchen/dining and wet room would be mono pitched, with the highest point of the pitch to be constructed at the outer wall, sloping to the lowest point being against the boundary to the neighbouring property resulting in the two pitches to forming a valley gutter.

1.4 The proposal would be constructed with facing red brickwork and Marley grey concrete roof tiles to best match the existing dwelling.

2.0 Development Plan

2.1 The site is identified as being within a residential area in the inner urban boundary. Planning policies relevant to this application are as follows:

2.2 Local Plan Part 2 , Site Allocation and Development Management Policies (adopted December 2015).

Policy 8 'Development and People'
Policy 11 'Design'.

2.4 The National Planning Policy Framework requires a presumption in favour of sustainable development to be seen as a 'golden thread' running through planning decisions, providing that the proposal is in accordance with the development plan. In respect of the current application, the main issues to be considered are design, and the impact on neighbouring properties.

2.5 Residential Design Guide (Revised September 2012)

RES E1: "Materials"
RES E7: "Rear Extension"
RES E5: "Over-Development"

3.0 Planning history

3.1 There is no planning history for this site.

4.0 Consultations

4.1 Neighbouring Residents: Residents adjacent to the site have been notified by letter. Three letters of objection have been received from the attached neighbouring property at No.43 Cheltenham Road. The objection relates to issues with noise from construction and damage to the property. Although these issues do not relate to material planning considerations, the application was received prior to 1st October 2015 and has therefore been presented to the Committee.

4.2 During an on-site meeting with the planning agent, contact was made with the objector. Advice was given to the objector about issues relating to damage to property, not being covered in the planning assessment and therefore was referred to the Party Wall Act.

4.3 The applicant was advised to stop the unauthorised works and to serve certificate B on the neighbouring property due to the fact the guttering would overhang.

5.0 Issues/Comments

5.1 The main issues with regards to the assessment of this application are the design of the proposal in relation to the host dwelling and the impact of the proposal upon neighbouring amenity.

5.2 Design Policy 11 of Local Plan Part 2 amongst other criteria requires that the size, design and external appearance of extensions should harmonise with the existing building and should not unacceptably affect the character of the street. Due consideration should be given to the angled and stepped boundary nature of the application site. The original layout of the property would restrict the applicant to propose a

good standard of design. To provide adequate space within the extended areas, the proposal would replace the existing outer wall with a 3.8m wall, thus 800mm higher than the existing wall. However, there is no uniform character to the rear elevation, and as such the proposal would not be a prominent feature within the street scene. It is considered the resultant structure would cause minimal harm to the relationship with the host property and surrounding character of the rear elevation. Furthermore, the extension would be in keeping with the existing property in terms of materials and fenestration, designed at its best to match the proportions of the host dwelling, and on balance will form an acceptable addition to the property. Consistent with the requirements of Policy H8(i) and the SPD.

5.3 Amenity Policy 8, amongst other criteria supports the extension of dwellings which have no unacceptable impact on the amenity of adjacent properties through overlooking, overshadowing or dominance. The proposal would be constructed along the stepped party boundary with No.43 Cheltenham Road. This property features an original kitchen outrigger comprising a kitchen window. The closest habitable window to the neighbouring property would be a lounge window. The proposed extension would be constructed along the party boundary projecting 2.7m beyond the neighbours kitchen outrigger and 600mm above the existing boundary wall. The existing outrigger to this property would already compromise the outlook of light to the window and as such it is considered the proposal would cause no detrimental harm on amenity to the objecting property. Furthermore, the lowest point of the proposed mono pitched roof would be set adjacent to this property, minimising potential impact of further light loss.

5.4 The scheme has been amended by setting back the original extension in order to provide sufficient amenity space. Limited space would be retained within the curtilage, however there is no rigid policy for amenity space to be retained within the property, provided acceptable space is retained for the storage of bins and general maintenance to the property. Therefore on balance, the proposal is considered to satisfy the requirements of Policy 8.

6.0 Recommendation

Approve subject to the following conditions:

- Development to be in accordance with the approved plans

7.0 Summary of representations

43 Cheltenham Road
Blackburn
BB2 6HR

Planning Application Reference No 10/15/931 Erection of a single storey extension

I am writing in reply to your letter received on 22 August 2015, regarding the above application by Mr Zarif Mohammed at No 45 Cheltenham Road. I wish to make the following comments:-

Firstly, extensive refurbishment of the main property has been ongoing since March 2015. It was initially begun by three young men with an assortment of hand and power tools. No professionally qualified or recognised building company has been involved on the work. I cannot see any of the usual warning notices on the exterior of the site and no one who is working on it appears to wear a hard hat. Even on a domestic site surely there are regulations to adhere to.

Secondly, a large number of the interior walls were demolished creating a great deal of noise and dust etc. Shortly afterwards two of the men deserted the project leaving one young Eastern European who arrives by bicycle every day, to carry on the work often alone. Obviously this situation has resulted in the project proceeding extremely slowly. We have now reached the August Bank Holiday with little or no sign of any reconstruction taking place. There has been more and more demolition and more and more noise and disturbance for six days each week, particularly, (although not exclusively) on Saturdays.

I contacted the Town Hall about the noise problem and the site was I believe inspected. I have also spoken to Mr Mohammed who said he would arrange for the noise to decrease for a period of approximately 2 hours every afternoon as I am supposed to rest during this period. This has not always been adhered to.

I feel we have endured enough already and the proposal for a single storey extension built by one young man with hand tools, at the current rate of progress, would stretch probably to the end of 2016 and beyond! I am strongly of the opinion that if the application cannot be refused, a time limit on the completion of the refurbishment and construction should be applied and strictly enforced. If this cannot be guaranteed then refusal of the application should be considered. Whilst I am aware of everyone's right to carry out necessary work on their own property neighbours have rights too.

I am also very worried about any possible damage to my home from the demolition works; there is already a crack in the hallway wall. I would fully expect Mr Mohammed to recompense me for any expenses I may incur in accommodation, repairs and refurbishment to my own property and a full comprehensive structural survey on completion.

It may interest you to know that in 1985/6 numbers 31-45 of Cheltenham Road were the subject of a block repair scheme as they required underpinning and rebuilding of the front elevations, owing to subsidence caused by an old quarry which used to be in front of the small terrace of houses. I am worried that parts of no 45 will simply collapse as all the interior walls have been removed.

I would request you to consider my points of view and to refuse this application or to consider setting a strict time limit on its completion.

Yours faithfully
Kathleen A Shorrocks (Mrs)

43 Cheltenham Road
Blackburn
BB2 6HR

Ref No 10/15/0931 (Amendment)

Dear Sir

Thank you for your further letter of 19 November 2015 regarding the amended application as above.

My original objections and observations remain the same as detailed in my previous letter re the original application and I wish these to be considered when you make your decision on the amended application.

However, as you will be aware since then Mr Mohammed has begun work on the kitchen extension despite not having the necessary permissions. As it has not met your requirements and regulations he now has to submit an amended plan. No surprise there then as the whole project has been conducted in the most unprofessional and amateurish fashion. Indeed some of the brickwork on the extension I could have done better myself!

He has caused further damage to my property when he dug out the foundations for the extension over one horrendous noise filled weekend when he was using heavy plant and machinery for 12 hours at a time. We have photographic evidence of this if you should need to see it.

The damage he has caused is as follows:

Undermining and damage to the adjoining back yard wall.

Damage to the floor level in my own kitchen so that I cannot now close the inner door.

Possible damage to the wiring in my kitchen leading to the lights failing.

When Mr Mohammed asked me if he could build the wall higher than he had originally planned I refused. I have made my feelings on these matters plain to your Building Services colleagues in my letters of 10 September and 26 October 2015.

In view of all the above and my earlier objections, I would urge you most strongly to reject the amended application. I would also urge you to use your powers of enforcement to require Mr Mohammed to demolish the half built extension and restore the kitchen to its previous state.

I would further ask you to consider imposing a considerable financial penalty to deter him from beginning building works for which he does not have permission. This particular situation is a problem in parts of this town where individuals commence building before permission is granted.

It may also deter him from beginning a major building project which now seems to be totally out of control without consulting his neighbours fully.

I am upset and angry he is being allowed to do whatever he likes when I have lived honestly and quietly in my own property for over 60 years.

I therefore respectfully ask the planning committee to consider refusal of this application and to take the above observations into account when making their decision.

Yours faithfully

Kathleen A Shorrock (Mrs)
