

REPORT OF THE DIRECTOR

Plan No: 10/17/0457

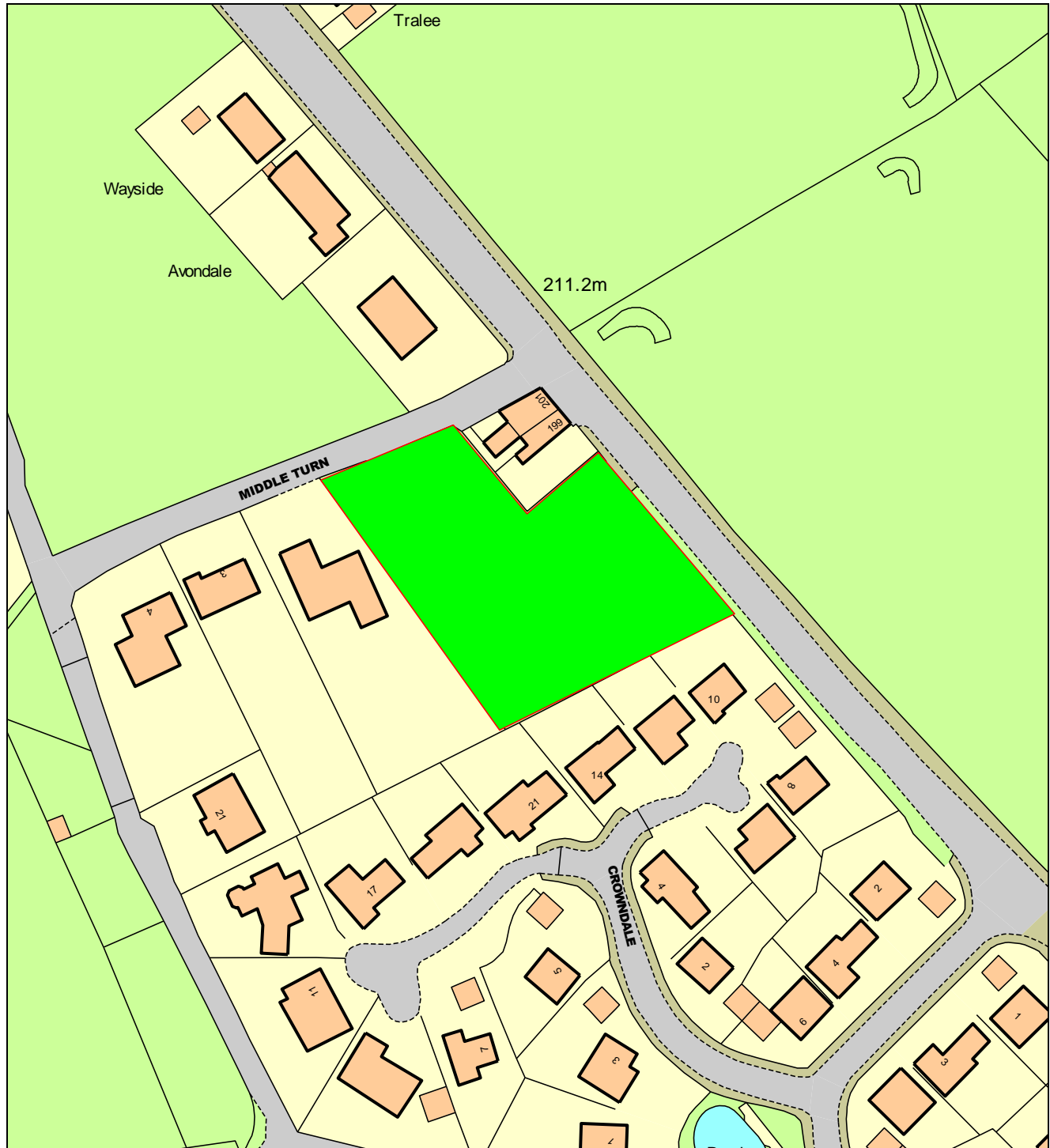
Proposed development: Variation of condition/minor material amendment for substitution of house type on plot 2 pursuant to a variation of condition 15 of application 10/14/0037: General amendments to design including: substitution of Velux window to the rear elevation, pediment to the roof removed, window removed from the rear elevation and installation of new window in the side elevation.

Site address: Former, 1 Middle Turn, Edgworth, BOLTON, BL7 0PG

Applicant: Mr D Owen

Ward: North Turton With Tockholes

Councillor Colin Rigby	
Councillor Jean Rigby	



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – subject to conditions

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 The proposal seeks a substitution of house type to that previously approved at Plot no. 2, Middle Turn, Edgworth, by means of an application under Section 73 of the Town and Country Planning Act 1990 to vary the condition attached to the original permission relating to the approved drawings.

2.1.1 The key issues to be considered are as follows:

- Impact of the proposed alterations on neighbouring residential amenity
- Appropriateness of the design

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site is a detached dwelling located at plot no. 2, along the western boundary of a continuing development of 3no. executive dwellings within the former garden space of No. 1 (Burnside) Middle Turn; granted planning permission in January 2011. A subsequent planning permission was granted in April 2014 for a substitution of house type at plot 2. The site is located to the northern side of Edgworth, within the village envelope and is accessed from the west of Blackburn Road.

3.2 Proposed Development

3.2.1 Retrospective planning permission is sought for a substitution of house type on Plot 2 to include the removal of a previously approved ornamental pediment to the front elevation; substitution of previously approved standard Velux windows within the rear roof plane with 3no. larger Velux Cabrio Balconey style openings, removal of a bedroom window to the southern flank of the rear elevation and introduction of an alternative window to the southern side elevation; as set out in the submitted drawings:

3.2.2 The introduction of larger Velux openings to the rear is intended to maximise light into the habitable roof space. Removal of the pediment is for financial reasons and the alternative side window is to benefit from its south facing aspect.

3.3 Development Plan

- Policy 6 – Village Boundaries
- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 11 - Design

3.4 Other Material Planning Considerations

3.4.1 Supplementary Planning Document "Blackburn with Darwen Residential Design Guide" is also relevant, which was adopted in 2012.

3.4.2 In addition, the adopted Core Strategy and the National Planning Policy Framework (NPPF) are of relevance.

3.5 Assessment

3.5.1 Principle of Development

3.5.2 The principle of residential development has been established through the previous planning permission granted for the redevelopment of the site. The principle of the alterations is, therefore accepted, in accordance with the Blackburn with Darwen Local Plan Part 2 and the NPPF's presumption in favour of sustainable development, which should proceed without delay, unless demonstrable adverse impacts which significantly outweigh the benefits of a proposal are identified.

3.5.3 Impact Upon Residential Amenity

3.5.4 Local Plan Part 2 Policy 8, amongst other criteria, requires development to contribute positively to the overall physical, social, environmental and economic character of the area and secure satisfactory levels of amenity for surrounding uses, with regard to loss of light, privacy/overlooking and relationship between buildings.

3.5.5 The omission of the pediment to the front elevation and the introduction of a new window to the side elevation are appropriate in ensuring no impact on neighbouring residential amenity.

3.5.6 The replacement Velux openings within the rear roof plane are larger than those previously approved and feature a balcony style opening system. It is, however, important to recognise that they serve circulation space at the top of the stairwell leading into the habitable roof area and not either of the two adjacent bedrooms. Consequently, they are not considered to result in an unacceptable level of overlooking onto the neighbouring dwelling at no. 2 Middle Turn.

Moreover, the rear of 2 Middle Turn features a balcony that results in a degree of overlooking onto the rear of the application site.

3.5.7 Design

3.5.8 The loss of the pediment to the front elevation is unfortunate, as it would provide decorative relief to a lengthy stretch of otherwise uninterrupted roof plane. Its loss is not, however, considered harmful and the dwelling retains sufficient common characteristics with the neighbouring plots.

3.5.9 The alternative Velux openings and window to the side elevation are also considered appropriate in design terms.

4.0 **RECOMMENDATION**

4.1.1 **APPROVE** subject to the following conditions, to be applied in accordance with the conditions imposed on the original approval.

- Material samples
- Submission of tree planting scheme
- No existing trees or hedges to be lopped, topped, felled, uprooted, pruned, or sustain root severance, without prior written consent from the Local Planning Authority
- Implementation of Bat Survey recommendations
- Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds not to be carried out between March and July
- Submission of boundary treatments
- Removal of Permitted Development rights
- No conversion of garages to habitable rooms
- Samples of obscure glazing to Plot 2
- No commercial use of garages
- Submission of existing and proposed slab levels
- Restricted hours of construction
- Submission of a Validation Report

5.0 **PLANNING HISTORY**

5.1.1 10/10/0609; 10/14/0047.

6.0 **CONSULTATIONS**

6.6.1 11 neighbouring properties were consulted by letter. 1 letter of objection has been received concerning the impact of the Velux openings on privacy.

6.6.2 An objection was also received from ward Councillor Colin Rigby, concerning the excessive and intrusive nature of the amendments, considering the proximity of the neighbouring homes.

6.6.3 Summary of public representations

Objection Mr & Mrs Manning, 2 Middle Turn Edgworth Bolton BL7 0PG

Please accept this email as an official objection to the planning application detailed above. We feel that the inclusion of the Velux Cabrio Balcony systems in the roof (which have already been installed) to be an enormous invasion of our privacy. These balconies look directly down into our entire back garden and our house and we feel that the resulting loss of privacy for our family will be unacceptable. The existing first floor windows that have been permitted on the property are deemed as non living areas (a dressing room and 2 obscured glass bathrooms/en-suites) - the area of the roofspace where these balconies are is very much a living space and the occupants will undoubtedly spend some significant time there.

When we were granted planning permission for our redevelopment we were asked not to have any windows with direct views over our neighbour's house along the western elevation and we were only too happy to comply with this. It would seem appropriate for the development on plot 2 to conform to similar requirements.

Objection Cllr Colin Rigby OBE

I wish to object on the following grounds.

The proposed amendments are excessive and intrusive considering the proximity of the neighbouring homes,

Objection North Turton Parish Council

The Parish Council *objects* to these proposed amendments, as the introduction of velux windows to the rear may lead to overlooking of neighbouring properties.

7.0 CONTACT OFFICER: Nick Blackledge ,Assistant Planner - Development Management.

8.0 DATE PREPARED: 27th June 2017