

**Report to be read in conjunction with the Decision Notice.**

<b>Application Ref:</b>	3/2021/0573	 Ribble Valley Borough Council <a href="http://www.ribblevalley.gov.uk">www.ribblevalley.gov.uk</a>
<b>Date Inspected:</b>	29/06/2021	
<b>Officer:</b>	RB	
<b>DELEGATED ITEM FILE REPORT:</b>		<b>REFUSAL</b>

<b>Development Description:</b>	Two Storey rear extension and detached garage
<b>Site Address/Location:</b>	38 Mitton Road, Whalley, BB7 9RX

<b>CONSULTATIONS:</b>	<b>Parish/Town Council</b>
No comments received within consultation period	

<b>CONSULTATIONS:</b>	<b>Highways/Water Authority/Other Bodies</b>
No objections	
<b>CONSULTATIONS:</b>	<b>Additional Representations.</b>

**RELEVANT POLICIES AND SITE PLANNING HISTORY:**

**Ribble Valley Core Strategy:**

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMH5 – Residential & Curtilage Extensions

National Planning Policy Framework (NPPF)

**Relevant Planning History:**

No relevant planning history.

**ASSESSMENT OF PROPOSED DEVELOPMENT:**

**Site Description and Surrounding Area:**

The application site relates to a mid terrace dwelling located in Whalley. The property benefits from a detached garden to the rear. The site does not fall within any areas of designated interest.

**Proposed Development for which consent is sought:**

Consent is sought for the erection of a two storey extension to the rear of the property and a garage within the separate garden area to the north of the property.

The two-storey extension will have a rearward projection of 3.3m and extends across the full width of the property measuring at 4.7m. The extension will form a rear facing gable measuring 5.5m at the eaves and 7.4m at the ridge. At ground floor the extension will provide a kitchen dining area at ground floor and additional bedroom and dressing room at first floor. The extension will be faced with render and will have a slate roof to match the main dwelling.

The detached garage will be sited on the separate parcel of land to the rear of the property. This land is considered to form part of the property's domestic curtilage. The garage will measure 8m by 6.3m

and will have a pitched roof measuring 2.6m at the eaves and 5.2m in maximum height. The garage will be constructed using a mix of stone and render with a slate roof.

#### **Impact Upon Residential Amenity:**

Ribble Valley Core Strategy Policy DMG1 states that “development must not adversely affect the amenities of the surrounding area, and provide adequate day lighting and privacy distances”.

The proposed garage would have limited impact on the residential amenity of the surrounding neighbouring dwellings as the building will be sited adjacent to a detached garage at no 36 Mitton Road and the area of land owned by no. 40 to the west is minimal in size and would not be considered to be a useable area of garden space.

The proposed extension will extend beyond the rear wall of the neighbour, no 36 Mitton Road by 3.3m at ground and first floor. This neighbour benefits from an existing single extension to the rear that has a similar rearward projection to the proposed development, but the extension does not extend the full width of the house and a ground floor window on the rear elevation would be between the side wall of the two storey extension and the sidewall of the neighbours single storey extension. A single window and door also serve this single storey extension and both openings would face the side wall of the two storey extension. As such the proposed extension would create a tunnelling effect to the ground floor of this neighbour causing an unacceptable loss of light and overbearing impact. At first floor there is a single window that serves a bedroom. When assessed against the 45-degree rule there would also be a detrimental loss of light to this window.

The neighbour to the west is no 40 Mitton Road. This neighbour benefits from an existing two storey rear extension that projects further rearwards than the proposed extension as such the development would have minimal impact on this property.

As such it is considered that the proposed two storey rear extension would by virtue of its scale, design, mass and proximity to the neighbouring property 38 Mitton Road result in a development that would have an overbearing impact resulting in overshadowing and the loss of natural light to habitable room windows.

#### **Visual Amenity/External Appearance:**

Ribble Valley Core Strategy Policy DMG1 states that “development should be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials”.

The application site is a terrace dwelling located within Whalley. The development relates to the rear of the property and therefore the development would not be visible from Mitton Road.

The proposed garage would be sited on land to the rear of the property and would be adjacent to a neighbouring garage. To the rear of the terrace row and the terrace row to the east detached outbuildings/garages are present. As such it is considered that the garage would not look out of keeping in the area.

The proposed extension will have a rearward projection of 3.3 metres measuring the full width of the dwelling. The ridge of the extension is set significantly below the ridge of the main house which helps to ensure the extension remains subservient to the main house. Furthermore, when compared to the attached neighbours extension the proposed extension would be of a similar if not less scale to the neighbour therefore the proposed extension would not dominate the rear elevation.

#### **Highways:**

The highways engineer considered that the property has sufficient parking for a three bedroomed property and therefore has no objection to the development.

**Other Matters:**

The detached garage falls within the root protection area of three trees that are situated on neighbouring land. A tree survey has been submitted with the application dated January 2021 which identifies the T1 as category B, T2 as category C and T3 as category U. The council's countryside officer has provided comments on the application and has no objection subject to an appropriate condition requiring the trees to be protected in accordance with the BS5837 2012. The protection measures shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

A bat report has been submitted in support of the application which concludes that the proposed extension and roof alterations will have no negative impact upon habitat or foraging routes protected species.

**Observations/Consideration of Matters Raised/Conclusion:**

In conclusion I believe that the proposed extension will negatively impact the residential amenity of the neighbouring property and such the proposal does not comply with Policy DMG1 and DMH5 of the Ribble Valley Core Strategy.

**RECOMMENDATION:**

That planning consent be refused for the following reason(s)

**01**

The proposed development would by virtue of its scale, massing and proximity to the neighbouring property 38 Mitton Road would result in a development that would have an overbearing impact resulting in overshadowing and loss of natural light to habitable room windows. This would be detrimental to the residential amenity of the adjoining property and its occupants and would be contrary to Policy DMG1 of the Ribble Valley Core Strategy.