



**REPORT FROM:** PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

**TO:** NELSON COMMITTEE

**DATE:** 4<sup>th</sup> July 2016

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## PLANNING APPLICATIONS

### PURPOSE OF REPORT

To determine the attached planning applications

## REPORT TO NELSON COMMITTEE ON 04 JULY 2016

**Application Ref:** 16/0335/HHO

**Proposal:** Full: Erection of first floor extension to front, two storey extension to side and single storey extension to rear.

**At:** 21 Hollins Road, Nelson, Lancashire BB9 8JY

**On behalf of:** Mr A Majeed

**Date Registered:** 29 April 2016

**Expiry Date:** 24 June 2016

**Case Officer:** Mubeen Patel

### **Site Description and Proposal**

The application is brought to committee by the request of a Councillor.

The property is a two storey semi-detached located within a predominantly residential area of Nelson. It is within the settlement boundary as designated in the Replacement Pendle Local Plan. The property has a red brick constructed porch to the front with private amenity space provided to the side and rear, parking is available on the communal parking area on Hollins Road. The property is set on ground levels approximately 1.5m lower than the neighbouring properties opposite numbers 15 and 17. Allotment gardens are positioned to the west of the site.

The applications seeks to erect a first floor extension above the porch which will be used as a play room, a two storey extension to the side which will provide a kitchen at ground level and bedroom at first floor level and a single storey extension to the rear which will be used as a reception area.

The first floor extension will measure 2.9m x 1.7 and will have a pitched roofed design and will be finished in render with a tiled roof. The two storey extension to side will project 5m to the front and 2.7m to the rear given the boundary line of the site. This extension will be finished in render, have a tiled roof and white upvc window frames. The single storey extension to the rear will project rearwards by 4m, extend across the full width of the property and have a flat roofed design and be 2.8m in height; this extension will also be finished in render.

### **Relevant Planning History**

The site has no relevant planning history.

### **Consultee Response**

**Highways** - The Highway Development Control Section does not have any objections in principle regarding the above proposal. There is no increase in the number of bedrooms proposed and therefore no corresponding increase in parking provision. However we have noted from a desk top study that there is no off-road parking provision at this site and parking is within a communal area. Nevertheless, we are of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

**Nelson Town Council** - Councillors were unanimous in their objection to the proposed extension. They were of the opinion the extension was too large. The proposed extension would overlook adjoining premises and restrict natural light it would also be out of character with the surrounding area.

## Public Response

Twelve neighbours were notified by letter and 5 letters have been received objecting to the proposal by reason of;

- No available garden space will remain
- There will be overlooking right into my house
- The extension is big and will block the light
- It will block the view to Pendle Hill
- We will have no privacy
- It will be looking like a building site for a very long time
- It will cast a shadow
- There will be a reduction in light to our living room from the 4m extension to the rear. This will be overbearing and overshadow our property
- The property would change the outlook of the area
- Noise pollution from the proposed building works
- Parking issues due to deliveries and workmen
- The extension will be totally out of character.

## Relevant Planning Policy

| Code  | Policy                                             |
|-------|----------------------------------------------------|
| ENV 2 | Achieving Quality in Design and Conservation       |
| SPDDP | Supplementary Planning Document: Design Principles |

## Officer Comments

The main issues for consideration with this application are Compliance with Policy, Design and impact on neighbouring Amenity.

### **Policy**

Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy states that all new development should seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving heritage assets.

The Design Principles SPD expands on the requirements of Policy ENV2, it requires that two storey side extensions should normally be set in from the side boundary by at least 1m and should be set back from the front wall of the house by a minimum of 1m with a corresponding lowering of the roof line. This should be increased to 2m where the ground floor is not set back. These requirements can be relaxed if the construction of the extension would not result in an actual or potential terracing effect.

Furthermore, in relation to single storey extensions to the rear, The Design Principles SPD states that extensions located on, or immediately adjacent to, the party boundary with a neighbouring property will normally be acceptable if it does not project more than 4m from the rear elevation of the existing dwelling. A single storey extension of greater depth will normally only be permitted if it does not breach the 45 degree rule

## Design

The proposed application comprises three parts, a first floor extension to the front, a two storey side extension and a single storey rear extension. The first floor extension will be positioned above the existing porch and will have a pitched roofed design matching the existing dwelling. The eaves will be in line with the existing roof whilst the pitch of the roof will be set down from the height of the original roof. Although there are no first floor extensions to the front of dwellings within the vicinity, given its design, size and positioning it would not be fundamentally out of keeping with the surroundings.

This semi-detached property is positioned away from the road where the proposed two storey element to the side would not be readily visible from public vantage points. Furthermore the extension has been set back from the front elevation by 0.5m and set down from the original roof by 0.4m making this extension subordinate and where it would not create a terracing effect within the street. Although the two story element has a large frontage it would not appear out of character in the area and would be acceptable in terms of design where neighbouring properties generally have wide frontages. A 1.1m separation will be maintained between the extension and the south western side boundary of the site.

The single storey extension to the rear will have a flat roofed design. Although this does not match the original dwelling it would be positioned to the rear of the property where it would generally be out of public view and would therefore be acceptable in its position. A functional garden area will remain to be provided to the rear of the property.

The details submitted show the materials used for the extensions will be tiles for the roof and white upvc for the window frames which would both match the existing dwelling and which would be acceptable, however the finish for the walls would be render which would not match the existing pebbledash finish of the dwelling, no further details have been submitted. Therefore, given the details a condition should be attached to any approval for details to be submitted and agreed in writing by the Local Planning Authority.

## Impact on Residential Amenity

### Overlooking

Numbers 15 and 17 Hollins Road comprise of two storey semi-detached dwellings which are positioned on ground level approximately 1.5m above that of the application site. These properties have their rear gardens adjacent to the front garden area of the application site. Given the difference in land levels, boundary fence between these properties, hedging and a shed, the ground floor windows of the proposed extensions would not overlook these properties significantly more than existing.

A distance of approximately 14m and 12.5m would remain between the proposed two storey side extension and first floor extension up to the rear elevations of numbers 15 and 17 Hollins Road. The two storey extension would serve habitable rooms and would be below the 21 metre separation distance for residential environments under the guidance contained within the Councils Design Guide. However, in this instance there is already a window in the front elevation of the original dwelling which has a similar relationship to the proposed windows. Although the proposal would create further windows and there would be a degree of overlooking between the first floor windows and the ground floor windows of these neighbouring properties it would not be to a degree that the privacy of the residents would be seriously compromised.

The window in the first floor extension would serve a playroom and therefore any overlooking from this window would be minimised by virtue of its proposed use. The plans show the windows in the sides of the first floor extension will be obscurely glazed.

The windows in the side elevation of the two storey extension would face the allotment gardens whilst a sufficient distance of some 23m would be retained to the property to the rear number 29 which would maintain privacy.

### Overshadowing

The positioning of numbers 15 and 17 means that direct sunlight hits the front and side elevations of these dwellings during the day and the rear gardens during the late evenings. The proposed extensions given their positioning, distance between properties, land level and orientation would not significantly compromise direct sunlight or overshadow these properties to a degree that would be detrimental to the amenity of these neighbouring occupiers.

However, the proposed single storey extension to rear would project 4m immediately adjacent to the boundary with No.19. No.19 has a window serving the living room adjacent to the boundary, the centre of the neighbouring window would be approximately 1m from the side wall of the proposed 4m extension, this would have an unacceptably overbearing impact upon this habitable room window. The impact would be exacerbated by the orientation of the site which would result in the extension being located to the south west of the window, therefore resulting in a significant loss of light to the dining room. The proposed extension to rear would therefore result in an unacceptable impact upon the residential amenity of occupants of No. 19, contrary to Policy ENV2 and the guidance set out in the Design Principles SPD.

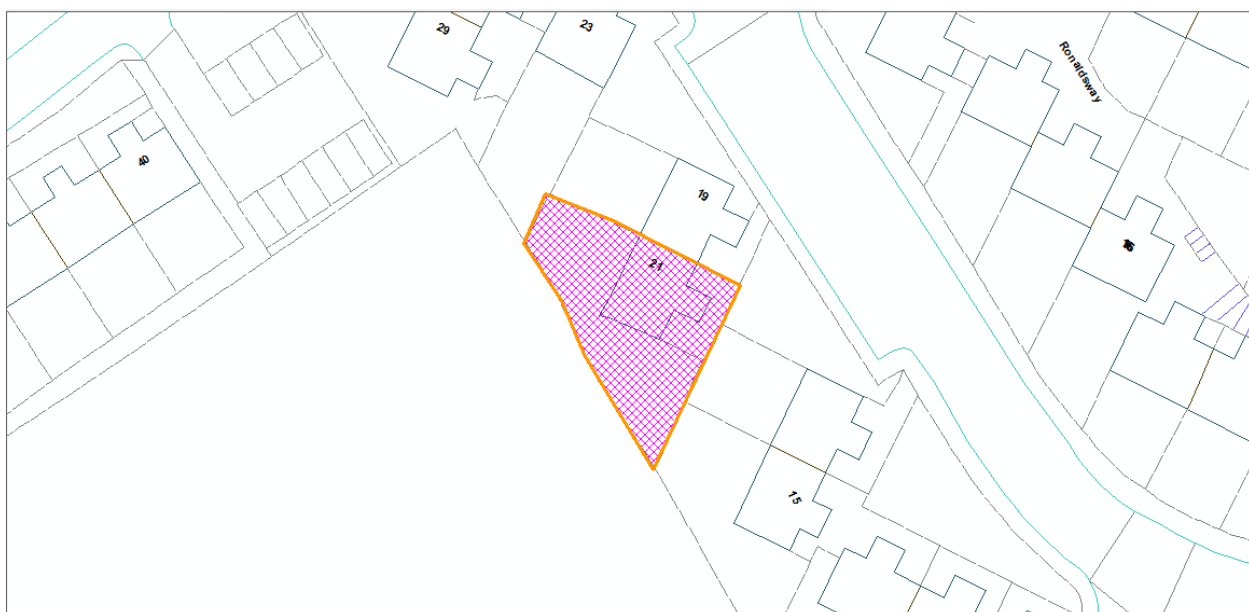
### **Summary**

The submitted scheme is acceptable in terms of design, siting and impact on the street scene; however the single storey extension to rear will have a significant impact in terms of overshadowing on the occupiers of the neighbouring property number 19 Hollins Road. Therefore, the application is recommended for refusal and would be contrary to Policy ENV2 of the Core Strategy Local Plan Part 1 and the Councils Design Guidance.

### **RECOMMENDATION: Refuse**

For the following reasons:

1. The proposed single storey extension to rear, by virtue of its rearward projection, would result in an overbearing impact upon and loss of light to a habitable room window which would have a materially adverse impact upon the living conditions of the occupants of the adjoining property thereby failing to accord with Policy ENV2 of the Core Strategy Local Plan Part 1 and the adopted Supplementary Planning Document: Design Principles.



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## **LIST OF BACKGROUND PAPERS**

Planning Applications

**NW/HW**

**Date: 23<sup>rd</sup> June 2016**