



REPORT FROM:	PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER
TO:	DEVELOPMENT MANAGEMENT COMMITTEE
DATE:	27 November 2017

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE 27TH NOVEMBER, 2017

Application Ref: 17/0307/HHO

Proposal: Full: Erection of two storey extension to rear with part single storey (resubmission).

At: 106 Regent Street, Nelson

On Behalf of: Mr T J Carter

Date Registered: 21 June, 2017

Expiry Date: **16 August, 2017**

Case Officer: Kathryn Hughes

This application was deferred from the September meeting to allow a site visit with the owners to take place. The site visit has been taken place and reference to a similar extension at 114 has been taken into account. Any proposed changes to the submitted scheme will be reported to the meeting.

Site Description and Proposal

The application site is a semi-detached dwellinghouse located within the settlement boundary of Nelson.

The proposal is to erect a part two storey and part single storey extension to the rear elevation.

The proposed rear extension would measure 6m x 5.35 m x 6.1m to ridge (4.4m to eaves) for the two storey element and 3.3m x 5.35m x 3.7m to ridge (2.1m to eaves) for the single storey element finished in brick and render with slate roof.

Planning History

16/0810/HHO – Full: Erection of part two storey, part single storey rear extension – Refused.

13/14/0176N – Permitted Development Notification (Proposed Large Home Extension): Erection of single storey extension to rear (Length 6m, eaves height 2.55m, overall height 2.8m) – Notification Accept, Permitted Development.

13/13/0315P – Erection of a two storey & single storey extension to the rear of dwellinghouse – Withdrawn.

Consultee Response

LCC Highways – No objections.

Nelson Town Council

Public Response

Nearest neighbours notified by letter without response.

Officer Comments

The main issues to consider in this application are policy, design, amenity and highway safety.

Policy

Policy ENV2 of the Local Plan Part 1 encourages a high standard of design in new developments, using materials appropriate to the setting.

The Design Principles SPD also contains more specific advice on householder extensions, which will be discussed in more detail below.

Design & Amenity

The SPD states that two storey rear extensions should not breach the 45 degree rule and be set in from the party boundary by a minimum of 1m

The development here seeks to erect a two storey element projecting 3.3m, before stepping down to a single storey for a further 2.7m, creating an addition 6m in total from the original rear wall of the house. It would be set in from the shared boundary by 0.75m, the extension by virtue of its projection would breach the 45 degree rule by some distance. The neighbour has two ground floor windows and one first floor window to the rear. The latter is located centrally within the upper floor and would be unaffected. However the ground floor windows are in close proximity to the development, which would appear overbearing and dominant from these openings, by virtue of its scale and massing.

The previous refusal stated that the applicant would need to reduce the projection of the two storey element by around half to avoid any adverse impacts on these windows. Whilst the first floor projection has been reduced by 0.7m this would still adversely impact on the nearest ground floor window.

It is acknowledged that no neighbour objections have been received and that a 6m long single storey extension has previously been deemed permitted under the increased GPDO allowances for householders. However, the permission for a larger home extension has now expired. This does not outweigh the harm that would be caused by the first floor element and the 6m long ground extension sited within 1m of the boundary.

The previous application is supported by a statement which states that the extension is required to address the particular needs and requirements of the occupant. Whilst these personal issues are noted, the impacts of the development here are not marginal, as such they can be afforded little weight in the decision making process.

A similar extension was approved at 114 Regent Street in November, 2010, however this extension was slightly smaller in length at ground floor and this was recommended for refusal based on its siting, bulk, mass and its overbearing nature would harm the amenity of the adjoining property. Members approved this scheme and it was not referred to Development Management at that time.

Therefore as submitted the proposal fails to comply with adopted guidance within the SPD and Policy ENV2.

Highways

The proposal does not impact on the current level of off-street parking provision at the site in an area where on-street parking is prevalent. LCC Highway Engineers raise no concerns in relation to the proposal.

Summary

The proposed development, by virtue of its scale and massing would have an unacceptable impact on the amenity of neighbours, thereby failing to comply with Policy ENV2 of the Local Plan Part 1 and guidance within the Design Principles SPD.

RECOMMENDATION: Refuse

For the following reason;

1. The proposed development, by virtue of its scale and massing, would have an adverse impact on the amenities of the adjoining property, owing to its proximity to adjacent windows. The application thereby fails to accord with Policy ENV2 of the Local Plan and guidance within the Design Principles SPD.



Application Ref: 17/0307/HHO

Proposal: Full: Erection of two storey extension to rear with part single storey (resubmission).

At: 106 Regent Street, Nelson

On Behalf of: Mr T J Carter

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE 27TH NOVEMBER 2017

Application Ref: 17/0361/HHO

Proposal: Full: Erection of a part single, part two storey rear extension.

At: 42 Thursby Road, Nelson

On behalf of: Mr Raza Mohammad

Date Registered: 23.08.2017

Expiry Date: 18.10.2017 (EOT – 10.11.2017)

Case Officer: Charlotte Pinch

Site Description and Proposal

The application site is a two storey semi-detached dwellinghouse located at No.42 Thursby Road, Nelson. The site is surrounded by residential properties of a similar scale and mass.

The proposed development is for the erection of a part single and part two storey rear extension. It would have a width of 4.4 metres, total height of 6.1 metres, depth at ground floor of 4.8 metres and depth at first floor of 3.3 metres. It would comprise of a lounge at ground floor level and fourth bedroom at first floor level.

It would be constructed of slate roof tiles and brick with dashed render to match the existing dwellinghouse.

The existing conservatory would be demolished at part of this proposal.

Relevant Planning History

None.

Consultee Response

LCC Highways

From the plans submitted no provision has been made for any off road parking. According to Pendle Borough Council's parking standards a 4 bedroomed house such as this would be expected to have 3 car parking spaces. However, a similar extension to another dwelling in the vicinity has been approved with 2 off road parking spaces.

A plan showing 2 off road parking spaces, of a suitable size (5.5m x 2.4m each) and surfaced with a bound porous material would be expected prior to any approval given. The dimensions may need to be altered, if this additional surfacing is to include the pedestrian access to the property. Similarly, the acceptance that a new vehicle crossing will be required at the applicant's expense.

Public Response

None received.

Officer Comments

The main issues to consider in assessing this application are impact on amenity, design, materials and parking provision.

The starting point for consideration of any planning application is the development plan. Policies which are up to date and which conform to the provisions of the National Planning Policy Framework must be given full weight in the decision making process. Other material considerations may then be set against the Local Plan policies so far as they are relevant.

Policy

The Design Principles SPD also contains specific advice on householder extensions, which will be discussed in more detail below.

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV1 of the Pendle Local Plan Part 1 seeks to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. It states that the impact of new developments on the natural environment, including biodiversity, should be kept to a minimum.

Policy ENV2 of the Pendle Local Plan Part 1 identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings.

Replacement Pendle Local Plan

Saved Policy 31 of the Replacement Pendle Local Plan sets out the maximum parking standards for development.

National Planning Policy Framework

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in paragraphs 18 to 219 of the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

The Design Principles Supplementary Planning Document (SPD) applies to extensions and sets out the aspects required for good design.

Visual Amenity

The two storey rear extension would have a pitched gable end roof and finished in external materials that would match the house and are acceptable. The first floor element of the proposal is set back from the ground floor extension, therefore giving a subservient appearance that is in keeping with the scale of the semi-detached property.

There are no objections to the demolition of the existing conservatory and as such the proposal complies with Policies ENV1, ENV2 and the Design Principles SPD.

Residential Amenity

The SPD states that two storey rear extensions should not breach the 45 degree rule and the first floor element should be set in at least 1 metre from the boundary. Equally, single storey rear extensions of greater depth than 4 metres, will normally only be permitted if it does not breach the 45 degree rule.

This development seeks to erect a two storey element projecting 3.3 metres, before stepping down to a single storey for a further 1.5 metres, creating an addition of 4.8 metres in total from the original rear wall of the house. It would be set in from the shared boundary by 1.1 metres, however the ground floor element of the extension would breach the 45 degree rule considerably.

Both neighbours at No.40 and 44 Thursby Road have first and ground floor rear facing windows within close proximity of the proposed development. The first floor windows on both properties are located centrally within the upper floor and therefore unaffected. However, both sets of ground floor windows are in close proximity to the development, which would breach the 45 degree rule and appear overbearing and dominant from these openings, by virtue of its scale and massing.

It is acknowledged that no neighbour objections had been received and a similar extension has been implemented at No.38 Thursby Road. However, this extension did not have an extended ground floor element and the whole extension was less than 4 metres depth, in accordance with the SPD guidelines.

Therefore, as submitted the proposal fails to comply with adopted guidance within the SPD and Policy ENV2.

Highways

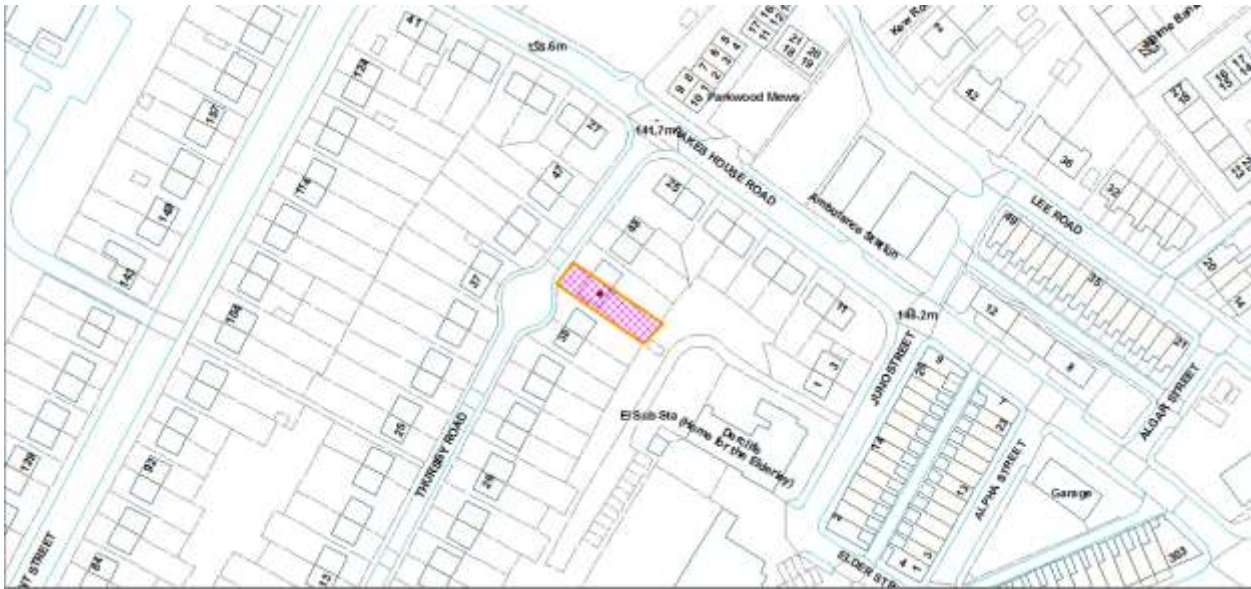
The proposed extension would add an additional bedroom to the property, creating a four bedroom dwellinghouse. Saved Policy 31 expects three on plot spaces to be provided for this size property.

Given the property currently has no on plot parking and a similar scheme was approved in 2012 at No.38 Thursby Road, the provision of two on plot parking spaces would be considered acceptable.

RECOMMENDATION: Refuse

For the following reason;

1. The proposed development, by virtue of its scale and distance from the side boundary, would have an adverse impact on the amenities of the adjoining property, owing to its proximity to adjacent windows. The application thereby fails to accord with Policy ENV2 of the Local Plan and guidance within the Design Principles SPD.



Pro Application Ref: 17/0361/HHO

Proposal: Full: Erection of a part single, part two storey rear extension.

At: 42 Thursby Road, Nelson

On behalf of: Mr Raza Mohammad