

REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING
SERVICES MANAGER

TO: BRIERFIELD AND REEDLEY COMMITTEE

DATE: 04th December 2018

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning application.

REPORT TO BRIERFIELD AND REEDLEY COMMITTEE on 4th DECEMBER, 2018.

Application Ref: 18/0716/FUL

Proposal: Full: Erection of three storey detached dwellinghouse with single storey rear projection with first floor balcony above, two dormers to the front elevation to serve rooms in the roofscape and off-street parking provision.

At: Garage Site North West of 24 Park Lane Brierfield

On behalf of: Mrs S Malik

Date Registered: 31 October 2018

Expiry Date: 26 December 2018

Case Officer: Kathryn Hughes

This application has been called in to Committee by a Member.

Site Description and Proposal

The application site is a former garage site located adjacent to Heyhead Park in a residential area within the settlement boundary. Vehicular access into the site is from Park Lane.

The proposal is to erect a detached six bedroomed dwellinghouse on the site with vehicular access from Park Lane and three parking spaces to the front.

The proposed house would measure 12.5m x 10.7m x 13m to ridge (8.8m to eaves) plus a front porch 2.5m x 1.5m x 3m and single storey games room 5.6m x 4.65m x m with full length balcony above constructed in artificial stone with stone cills to windows, charcoal grey roof tiles and oak upvc windows and doors.

Four off street parking spaces are proposed off Park Lane. A 2m high boundary fence is also proposed between the application site and 21 Burton Gardens which is within the applicant's ownership.

Planning permission for a four bedroomed detached house with access off Park Lane was approved in January, 2016 and has been commenced on site. The proposed scheme is for a much larger three storey dwellinghouse with balcony to rear.

Relevant Planning History

13/13/0065P - Full: Erection of a 2m high wall around garage site - Invalid application - 23rd April, 2013.

13/13/0395P - Full: Erection of a 2m high wall around garage site - Approved 4th September, 2013.

13/14/0583P - Full: Erection of two storey detached dwellinghouse with conservatory to rear, first floor balcony to rear, two dormers to front and off street car parking provision - Withdrawn.

13/15/0099P - Full: Erection of two storey detached dwellinghouse with conservatory to rear, first floor balcony to rear and off street car parking provision - Approved 13th May, 2015.

13/15/0567P – Full: Erection of two storey detached dwellinghouse with a conservatory and first floor balcony to rear, patio to front and off street parking provision – Approved 22nd January, 2016.

Consultee Response

LCC Highways – Does not raise any objections in principle to the proposed development at the above location, subject to the following comments being noted, and conditions and note being applied to any formal planning approval granted.

Park Lane is a privately maintained road, single vehicle width in places, leading from Heyhead Street and serving a number of residential properties. The proposed development will have direct access along Public Footpath 10 (Brierfield). The developer should ensure that no works associated with the development obstructs this Public Right of Way.

The development site has previously approved planning permission (13/15/0567) for construction of a two storey, four bed detached dwelling with off-road parking for three vehicles. Construction works have already started on site.

This current application seeks to increase the scale of the dwelling to a four storey, detached dwelling with a minimum of six bedrooms. Off-road parking provision has also been increased from three to four spaces.

Given the restricted carriageway width of Park Lane outside the development site we recommend that the proposed hardstanding is extended to provide more manoeuvrability for vehicles entering and leaving the site. This should be extended further into the site (to be at least 5.5m long from the Park Lane carriageway boundary) and extended fully across the site from bay 1 to 4 (a minimum of 12.2m).

This will also provide joint vehicular and pedestrian access to the property. A revised parking layout plan should be provided.

To improve sightlines for all highway users on Park Lane we also recommend that the remaining boundary wall fronting the site is reduced to a maximum height of 1m above the level of carriageway on Park Lane.

Subject to the receipt of a satisfactorily amended parking layout we recommend that conditions relating to wheel washing, access, car parking spaces and visibility.

United Utilities

Brierfield Town Council

Public Response

Nearest neighbours notified by letter. Publicity expires on the 30th November any further responses will be reported to the meeting. Three responses received to date raising the following objections:

- The site already has approval for a 3 storey house which hasn't been built and already towers above the properties on Burton Gardens;
- This property will not be in keeping and would have a massive impact on privacy. The proposed balcony could cause issues with privacy and safeguarding as it would look directly onto my garden and the park where kids play;

- The site has been ongoing for the last three years;
- The first application was turned down as far as we know and we can not understand why they are reapplying for a four storey. It won't be in keeping with the surrounding properties and area;
- Concerned over extra traffic and parking as the road narrows and residents park on the highway. Plus in summer people using the park amenities also park up making it difficult to find a space;
- We will lose our view;
- We will lose the light that enters our front windows;
- Out of character for the area and stick out like a city block in this quiet lane.

Officer Comments

The main considerations for this application are compliance with policy, impact on amenity, design and materials and highways issues.

1. Policy

The relevant policies for this proposal are:

Policy ENV2 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.

Policy LIV1 sets out the requirement for housing to be delivered over the plan period. This policy allows for non-allocated sites within the Settlement Boundary as well as sustainable sites outside but close to a Settlement Boundary.

Policy LIV5 requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and built at a density appropriate to their location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should also be provided within the site.

The Design Principles Supplementary Planning Document is also relevant to this proposal.

The following Replacement Pendle Local Plan policies are also relevant:

Policy 31 'Parking' supports car parking in new developments in line with the Maximum Car and Cycle Parking Standards. All new parking provisions should be in line with these standards unless this would compromise highway safety.

In national terms the National Planning Policy Framework (NPPF) provides guidance on housing requirements, design and sustainable development and landscape protection. Whilst Section 12 of the National Planning Policy Framework seeks to achieve well designed places and in particular para 130 states that permission should be refused for development of poor design.

2. Principle of Housing

The National Planning Policy Framework requires housing applications to be considered in the context of presumption in favour of sustainable development and deliver a wide range of high quality homes and create sustainable, inclusive and mixed communities.

The site is within the settlement boundary and has an extant permission for a smaller single dwelling and therefore the principle of housing on this site is accepted.

3. Impact on Amenity

The proposed siting, layout and fenestration of the dwellinghouse have been submitted.

The nearest residential properties are 19 and 21 Burton Gardens and 20 - 24 Park Lane.

No. 19 Burton Gardens lies to the north west of the site. No. 21 Burton Gardens is the applicant's property and lies to the south west. No 20 - 24 Park Lane lies to the south east of the site at a distance of 21m front to front elevation.

The main issue is the overall height of the proposed dwellinghouse and the balcony to the rear. The balcony raises issues with overlooking and privacy and these are addressed below. The height is addressed in the design section.

The proposed balcony on the rear elevation would be 1.4m from the side garden boundary with no. 19 with Heyhead Park to the north east side. As the application site is at a higher land level and the existing boundary wall is approximately 1m high at this side this would not be acceptable on privacy grounds and would result in substantial overlooking of the neighbouring property's garden and rear elevation to the detriment of their residential amenity.

The side/rear boundary of No. 21 is sited only 1.6m from the side boundary of the proposed dwelling and no windows are proposed in this elevation. No. 21 is currently occupied by the applicant. However, this could change in the future.

The proposed rear balcony would be less than 17m from this side/rear boundary of no. 21 at a much higher level and would result in overlooking and loss of privacy for this property.

There would be only 7m distance between the rear elevation of the proposed dwelling and the side boundary of no. 19 which is just about acceptable given the orientation of the building and that of no. 19 which results in approximately 14m between the two rear elevations at an oblique angle.

This means that whilst the separation distances between the proposed dwellinghouse and adjacent properties are acceptable the proposed balcony to the rear is not.

Taking all relevant factors into account the proposed dwellinghouse would result in an adverse impact on the amenity of the adjacent residential properties. The proposed development therefore fails to accord with policy ENV2 and the Design SPD.

4. Design and materials

The proposed dwellinghouse would be a large detached three storey property, with rooms in the roofspace served by two dormers to the front roofslope, a single storey projection to the rear with balcony above, a single storey store to the side and porch to the front elevation.

The detached dwellinghouse would comprise of a lounge, sitting room, hallway, dining room, kitchen and games room at ground floor, four bedrooms and bathrooms at first floor, two bedrooms

and a bathroom at second floor and two rooms in the roofslope. One bedroom on the first floor would have access to a balcony measuring 5.5m x 4.5m.

The main issue is the overall height of the proposed dwellinghouse and the overall design.

In terms of scale and massing the height of the proposed dwellinghouse would be 8.8m to eaves with three levels of accommodation and rooms in the roofspace which would be served by two dormer windows to the front roofslope.

The site is at a higher level than the adjacent properties at Burton Gardens and the three storey aspect of the dwellinghouse causes concerns in terms of scale and massing and would result in a large dominant structure in close proximity to no. 19 and 21 Burton Gardens. As stated previously no. 21 is currently owned by the applicant but this could change in the future and therefore any potential impact needs to be assessed. The bulk and massing from the overall height of 13m to pitch would result in an overbearing impact on these two adjacent properties which are set at a much lower level and are two storey properties.

A single storey store to the side and two dormers to the front are also proposed and are acceptable.

Materials proposed are coursed artificial stone with stone cills to all windows. The pitched roof would have charcoal grey smooth tiles whilst the windows and doors would be light oak upvc which is acceptable in this location.

The proposed development would introduce an inappropriate design in terms of its scale and massing and would result in a detrimental impact on the amenity of the area in this respect and therefore would fail to accord with policy ENV2 and the Design SPD.

5. Highways Issues

LCC Highways raises no concerns over the proposed dwellinghouse and access via the unadopted highway is acceptable for one dwellinghouse.

Details of off-street parking spaces have been submitted and indicate four on-site spaces which meets the car parking standards.

Due to the restricted width of Park Lane the proposed hardstanding should be extended to provide more manoeuvrability for vehicles entering and leaving the site. This should be extended further into the site (to be at least 5.5m long from the Park Lane carriageway boundary) and extended fully across the site from bay 1 to 4 (a minimum of 12.2m). This can be controlled by condition on any grant of approval.

This is acceptable and accords with policy 31 of the Replacement Pendle Local Plan

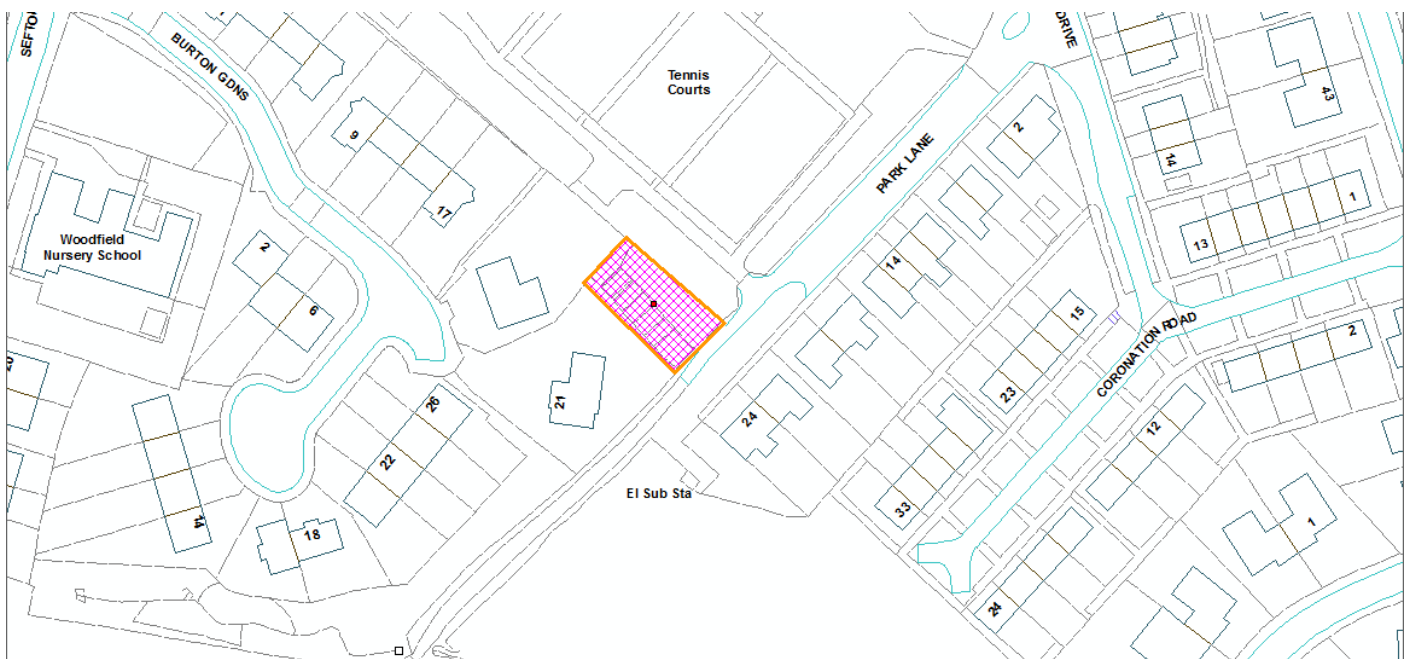
Summary

The proposal would provide for a residential unit in this sustainable location. However, the scheme as submitted fails to take into consideration its siting, design and massing and would appear incongruous and out of character in the streetscene with the large rear balcony resulting in overlooking and loss of privacy for adjacent properties. This scheme therefore fails to accord with policies ENV2 of the Local Plan Part 1: Core Strategy and the Design Principles SPD.

RECOMMENDATION: Refuse

For the following reasons:

1. The proposed development would result in inappropriately positioned residential unit and first floor balcony in close proximity to the existing dwellinghouses in particular No.'s 19 and 21 Burton Gardens which would result in overlooking and loss of privacy for these residents and therefore the submitted scheme fails to accord with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011-2030) and the Design Principles Supplementary Planning Document.
2. The proposed dwellinghouse would represent poor design in terms of its siting, scale and massing. The three storey dwellinghouse would be out of keeping with the area and would introduce an incongruous feature in this location and streetscene. The proposed scheme therefore fails to demonstrate good design contrary to Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011-2030), the Design Principles Supplementary Planning Document and Section 12 of the National Planning Policy Framework.



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At: Garage Site North West of 24 Park Lane Brierfield

On behalf of: Mrs S Malik

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 21st November 2018