

REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: BRIERFIELD AND REEDLEY COMMITTEE

DATE: 08th January 2019

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO BRIERFIELD & REEDLEY COMMITTEE ON 8th JANUARY, 2019.

Application Ref: 18/0548/FUL

Proposal: Full: Erection of two pairs of three storey semi-detached dwelling houses and formation of access from Higher Reedley Road.

At: 30 Higher Reedley Road, Brierfield

On behalf of: Mr S Ainsworth.

Date Registered: 3 October 2018

Expiry Date: 28 November 2018

Case Officer: Kathryn Hughes

This application has been brought to Committee as three objections have been received.

Site Description and Proposal

The application site is to the rear of the former Marsden Cross Public House in Brierfield which lies within the settlement boundary.

There is a public right of way PF20 (Brierfield) which crosses the site within the red edge along the southern edge of the site.

The proposal is to erect two pairs of three storey semi-detached dwellinghouses with access from Higher Reedley Road.

The two pairs of semi-detached are three storey with four bedrooms and an integral garage at ground. The lounge on the first floor rear elevation would have a projecting balcony.

Each property has a driveway with parking provision for at least two vehicles.

Relevant Planning History

13/07/0369P - Full: Form doorway to rear and construct pergola - Approved 10th July, 2007.

13/12/0270P - Conversion of public house with residential flat to four flats - Refused 21st August, 2012.

13/12/0415P - Conversion of public house with residential flat to four flats with eight solar panels on the rear roofslope (resubmission) – Approved.

16/0773/FUL: Full Removal of existing equipment and erection of new free standing 20m high telecommunications mast – Approved 20th January, 2017.

17/0525/PNT: Prior Notification (Telecoms): Erection of 17.5m high Jupiter Street Pole, foundation and three antennas with associated works.

Consultee Response

LCC Highways – Having considered the information submitted for the above application, together with observations on site on 28 November 2018, the Highway Development Support Section does not raise any objections in principle to the proposed development at the above location, subject to

the following comments being noted, and conditions being applied to any planning permission granted.

Site access

Access to the development site would be off Higher Reedley Road through the former car park of the former Marsden Cross Inn. Planning Permission was granted to convert this former public house into four flats under planning reference 13/12/0415, with the associated car park providing off-road parking for this development. The current application proposes to amend the previously approved parking layout for the conversion, and the amended access would also result in the loss of two off-road parking spaces for the former pub. Whilst the Highway Development Control Section does not support the loss of off-road parking provision we recognise that two parking spaces cannot be provided elsewhere.

The visibility splays at the site access onto Higher Reedley Road will be partially protected by the solid, double white centre lines.

We recommend that a low level wall (no higher than 0.9m) is erected along the boundary of the parking spaces (associated with the former pub conversion) immediately at the access to the site off Higher Reedley Road. This should prevent vehicular manoeuvres within the access which could have a negative impact on highway safety in the immediate area.

Internal site layout

Whilst the internal layout would not be considered for adoption it should still be constructed to adoptable standards.

A service strip 0.8m wide is shown along the eastern side of the access. This should be a minimum width of 2m, which would require the hardstanding being extended up to the front of the dwellings to accommodate this and not reduce the carriageway width.

A turning head is required to allow refuse vehicle and emergency vehicles to turn within the site. We consider that the one proposed is under-sized. The layout of the turning head should be either a prescribed Access Way turning head from Lancashire County Council's 'Residential Design Guide', and so be a minimum of 4.5m wide and 13.9m long. Or the applicant should prove the turning head layout by swept path analysis for a twin axle refuse vehicle.

Alternatively, if refuse vehicles are unable to access the site, the developer should provide a bin collection point at the site entrance so that residents do not have to carry refuse more than the maximum distance of 30m as recommended in Manual for Streets. Waste collection vehicles should also be able to get within 25m of the storage point. The developer should clarify what the arrangements will be for waste collection.

As the internal road would remain private the developer should provide details of the proposed arrangements for the future management and maintenance of the road. These should include the establishment of a private management and maintenance company.

Parking provision

The developer has indicated on their application that eight parking spaces would be provided. However details on the submitted plans (AI/13 03 and 04) show that three parking spaces per dwelling would be provided and we therefore base our comments on these. As the proposed development site has limited access to the public transport network, and there are very limited local facilities and amenities in the vicinity, we recommend that maximum parking standards are applied to the site, that is, three spaces per dwelling.

To count as one parking space single garages should have minimum internal dimensions of 6m x 3m. A single garage of this size is also considered capable of accommodating two cycles. Therefore the proposed garages are adequately sized to count as one parking space per dwelling.

For garages with up and over style doors there should be a minimum length of 6m in front to allow the garage door to be opened/closed whilst a vehicle is parked on the drive. For garages with roller shutter style doors a minimum length of 5.5m in front would be acceptable. Drives should not include any of the service strip.

Whilst the proposed drives are considered long enough to accommodate vehicles, taking into account the above comments regarding the service strip and style of garages doors, they should be widened to 5.6m to allow shared pedestrian and vehicular access as a separate pedestrian access is not provided.

General

Given the development site's location on Higher Reedley Road close to the signal controlled cross roads, and the type of development proposed, the developer should provide a construction method statement.

A Public Right of Way - Public Footpath 20 (Brierfield) - passes adjacent to the southern boundary of the development. The red edge of the development site on both the Existing and Proposed Site Plans extends over land through which Footpath 20 passes. On the Proposed Site Plan (Ref AI/13/Dwg 03) the curtilage of the southern-most dwelling and general landscaped area extend over the line of Footpath 20. This Public Right of Way must not be obstructed during any proposed development and the developer should clarify their proposal in this respect.

Furthermore, no excavation/construction works should affect the structural integrity of land supporting this public footpath.

If the local planning authority is minded to approve this application we recommend that conditions relating to construction method statement, maintenance and management of internal road, engineering and construction details for estate road, vehicles leave/entre highway in forward gear, estate road to base course and parking areas attached to any grant of planning approval.

UU – In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the applicant to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above. In line with these comments, we recommend conditions are attached to any approval notice relating to foul and surface water systems.

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project which should be accounted for in the project timeline for design and construction.

The Coal Authority – Material Consideration

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that a thick coal seam outcrops at or close to the surface of the site which may have been worked in the past and historic unrecorded underground coal mining is likely to have taken place beneath the site at shallow depth.

The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site; including information from BGS with regard to geological mapping and geological memoirs, historical Ordnance Survey maps and information from The Coal Authority in the form of a Coal Mining Report. This information has been used to inform a Coal Mining Risk Assessment (March 2018, prepared by Worm's Eye) to accompany the planning application.

Based on the review of the above information the report is able to identify the 'Yard Bottoms' seam, referred to on the geological maps as the 'China Mine' seam, is shown to outcrop about 25 metres to the north and dip to the south at 5° to 10° with rising ground between outcrop and the site. It would pass beneath the site at shallow depth below rock head.

The coal seam is reported as being up to 18 inch (0.45 metres) thick in the area, and being too thin or of too inferior quality to be worked. It is considered that the Coal Authority Report, geology map and memoirs suggest workings are unlikely and that there is a negligible risk to the development.

The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system and meets the requirements of NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development. However, further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application

Environmental Health – No comments.

Brierfield Town Council

Public Response

Press and site notices posted and nearest neighbours notified by letter. Three responses received objecting on the following grounds:

- Loss of privacy and being overlooked;
- The site is bounded by a stone wall which is adjacent to my property and no. 32 and is in serious state of disrepair and there has been several large collapses;
- The public house was granted permission for conversion and has been left in a diabolical and unsafe state and has been subject to vandalism and arson;
- The dwellings will block sunlight on our house particularly in winter when leaves have fallen from the trees;
- If the land is not lowered then the three storey dwellings will tower above our house;
- Is the plan to remove all the trees in the pub garden; and
- What are the plans for construction equipment as access is limited.

Officer Comments

Policy

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 (“the 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.

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 7 to 211 of the NPPF (2018), taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system.

Pendle Local Plan

The relevant adopted Pendle Local Plan Part 1: Core Strategy 2011 - 2030 policies for this proposal are:

Policy SDP1 requires the decision maker to take a positive approach in favour of sustainable development as set out in the National Planning Policy Framework (the Framework).

Policy SDP3 sets out the location of new housing in the Borough in conjunction with SDP2 and LIV1.

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.

ENV4 seeks to promote sustainable travel as well as development impacts and accessibility and travel plans for major developments to mitigate any negative impacts.

Policy ENV7 consider the impacts of flood risk on and from new development.

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 LIV3 encourages the support and provision of a range of residential accommodation.

Policy LIV4 sets out the targets and thresholds to contribute towards the provision of affordable housing. No affordable units are required for this site.

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 be built at a density appropriate to its location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

Replacement Pendle Local Plan

The following saved policies also apply:

Policy 31 ‘Parking’ requires that new developments provide parking in line with the levels set out in Appendix 1 of the RPLP.

National Planning Policy Framework

Paragraph 32 states that all developments which generate significant amounts of movement to be supported by a Transport Statement and provide a safe and suitable access.

Paragraph 67 of the Framework requires local planning authorities to identify a supply of deliverable housing sites to provide five years' worth of their housing requirements. The SHLAA has been updated.

The Framework expects that Councils meet their full objectively assessed housing needs and to annually update their supply of specific deliverable sites to meet a five year supply. Where there has been persistent under delivery a 20% buffer needs to be added to the 5 year supply.

The Framework states that good design is a key aspect of sustainable development and is indivisible from good planning. Design is to contribute positively to making places better for people (para. 124). To accomplish this development is to establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live and responding to local character and history (para. 127). Design quality should be considered throughout the evolution and assessment of individual proposals (para.128).

Para 130 of the National Planning Policy Framework states that permission should be refused for development of poor design that fails to take the opportunities available for improving character and quality of an area and the way it functions. If a development is poor in design it should be refused.

2. Principle of Development

This site is previously developed land which lies within Brierfield and its settlement boundary.

Brierfield as part of Nelson is a Key Service Centre in the M65 Corridor which is an area identified in policy SDP2 to play a supporting role and accommodate levels of new development to serve a localised catchment area.

This proposal is for two pairs of semi-detached dwellinghouses located within the settlement boundary.

3. Impact on residential amenity

Policy ENV2 of the Local Plan states that good design should be informed by, and reflect the history and development of a place and meet high standard of design, being innovative to obtain the best design solution and using materials appropriate to its setting.

In terms of privacy distances the proposed dwellinghouses have been positioned to the eastern part of the site with the houses along the side boundary of No. 5 Woodlea Gardens and the side boundary of No. 32 Higher Reedley Road.

The rear elevations of the plots would be within 12m of the side boundary of No. 5 which has a conservatory extension to the side. There are also projecting balconies proposed to the first floor rear elevations which are a concern in terms of overlooking and the agent has been requested to provide more details on these or remove them.

The side elevation of the plot nearest to no. 6 Woodlea Gardens would be approximately 16m at an angle with no windows proposed in that side elevation which is acceptable,

The dwellinghouses would be three storey at an overall height of 10.5m with the buildings being set down by 2m this reduces the height to an acceptable 8.5m and effectively results in two storey dwellinghouses from the perspective of the properties on Woodlea Gardens.

The gable of the nearest plot to no. 32 would be 15m with no windows proposed this is acceptable.

The proposal would have limited impact on the amenity of adjacent properties subject to the submission of an appropriate landscaping scheme.

The development would therefore comply with the amenity standards set out in the Council's Design Supplementary Planning Document.

4. Design & Layout

Policy ENV2 of the Local Plan seeks to achieve good quality design which is in conformity with the Framework.

This proposal is for two pairs of semi-detached three storey dwellinghouses with integral garages and driveways all accessed off Higher Reedley Road. There is a mixture of house types in the area with the linear properties on the north side of Higher Reedley Road being older, mainly terraces properties and the former Public House and larger, stone, linear detached properties on the south of Higher Reedley Road. The houses on Woodlea Gardens comprise newer properties laid out in a more traditional cul-de-sac format.

Natural slate and artificial stone are proposed with timber effect upvc windows and doors which is acceptable in this location.

The materials and design are appropriate for this location and accord with policy ENV2.

5. Flood Risk and Drainage.

Policy ENV7 of the Pendle Local Plan does not allow for development that would be at risk of flooding or would increase the risk of flooding elsewhere. This strategy involves the assessment of site specific risks with proposals aiming to place the most vulnerable development in areas of lowest risk and ensuring appropriate flood resilience and resistance; including the use of SUDs drainage systems. In this case the site is not located within any Flood Zone.

A condition requiring an appropriate drainage scheme to be submitted prior to commencement of the development would be appropriate.

6. Highways & Parking

Vehicular access is proposed off Higher Reedley Road. The visibility splays at the site access onto Higher Reedley Road will be partially protected by the solid, double white centre lines.

Some minor changes to the layout are required in the interests of highway safety and the agent has been requested to address these.

As the internal road would remain private the developer should provide details of the proposed arrangements for the future management and maintenance of the road. These should include the establishment of a private management and maintenance company.

A construction method statement will be required and this can be controlled by condition. Public Footpath 20 (Brierfield) - passes adjacent to the southern boundary of the development this must not be obstructed during any proposed development and no excavation/construction works should affect the structural integrity of land supporting this public footpath.

LCC Highways have not raised any objections to this proposal subject to appropriate conditions.

Based on Policy 31 Car and Cycle Parking Standards the applicant has provided adequate off-road parking provision for this type and size of development. The site can accommodate adequate off street parking.

As the proposed development site has limited access to the public transport network, and there are very limited local facilities and amenities in the vicinity three spaces per dwelling should be provided.

The proposal therefore accords with Policy 31.

7. Conclusion

The proposed development for two pairs of semi-detached dwellinghouses would be acceptable on this site and would not adversely impact on the amenity of the area and would be appropriate in terms of scale and layout.

Subject to the above the proposal would accord with local plan policies LIV5, ENV2, saved Replacement Local Plan policy 31 and national policy paragraphs 124 and 196 of the NPPF.

RECOMMENDATION: APPROVE Subject to the Following Conditions:-

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

AI/13/ Dwg 01, AI/13/ Dwg 02, AI/13/ Dwg 03, AI/13/ Dwg 04 & AI/13/ Dwg 05.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

4. No part of the development shall be commenced unless and until a Construction Code-of-Practice has been submitted to and approved in writing by the Local Planning Authority. The code shall include details of the measures envisaged during construction to manage and mitigate the main environmental effects of the relevant phase of the development. The submitted details shall include within its scope but not be limited to:

- a) A programme of works including phasing, hours of operation and measures for the control of traffic to and from the site, and within the site, during construction.
- b) The storage areas and methods of loading and unloading of plant and materials.
- c) The parking of vehicles of site operatives and visitors;
- d) Timing of deliveries;
- e) Details of wheel-washing facilities including location
- k) Measures to ensure that vehicle access of adjoining access points are not impeded.
- n) Location and details of site compounds
- u) Parking area for construction traffic and personnel
- v) Routeing of construction vehicles

The Construction Code-of-Practice should be compiled in a coherent and integrated document and should be accessible to the site manager(s), all contractors and sub-contractors working on site. As a single point of reference for site environment management, the CCP should incorporate all agreed method statements, such as the Site Waste Management Plan and Demolition Method Statement. All works agreed as part of the plan shall be implemented during an agreed timescale and where appropriate maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate measures are in place to protect the environment during the construction phases.

5. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed road within the development have been submitted to and approved by the local planning authority. The internal road shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

Reason: To ensure that the internal road serving the development is completed and thereafter maintained to an acceptable standard in the interest of residential/highway safety.

6. Prior to first occupation of any house the estate road shall be completed to at least base course level in accordance with details to be submitted and agreed.

Reason: To ensure that the internal road is constructed to an acceptable standard in the interest of highway safety.

7. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plan and the vehicular turning space shall be laid out and be available for use before the development is brought into use and maintained thereafter.

Reason: Vehicles reversing to and from the highway are a hazard to other road users.

8. Prior to any above ground development occurring samples of the external facing materials, windows, doors, garage doors and external facing materials and rain water goods to be used in the construction of the development hereby permitted (notwithstanding any details shown on previously submitted plan(s) and specification) shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To ensure a satisfactory form of development in the open countryside.

9. Windows and doors shall be set back from the external face of the walls of the units by at least 75mm in depth.

Reason: To ensure a satisfactory form of development.

10. Notwithstanding the provisions of Article 3 and Parts 1 and 2 of the second schedule of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development as specified in Classes A, B, C, D, E and F of Part 1 and Class B of Part 2 of Schedule 2 of that Order shall be carried out and Class A of Part 2 of Schedule 2 of that Order shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: In order to enable the Local Planning Authority to control any future development on the site, in order to safeguard the character and visual amenity of the area and restrict any potential overlooking.

11. The car parking and turning areas shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted is occupied.

Reason: To allow for the effective use of the parking areas.

12. The development hereby permitted shall not be commenced until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted at a scale of 1:200 and shall include the following:

- a. the exact location and species of all existing trees and other planting to be retained;
- b. all proposals for new planting and turfing indicating the location, arrangement, species, sizes, specifications, numbers and planting densities;
- c. an outline specification for ground preparation;
- d. all proposed hard landscape elements, boundary treatments including existing stone boundary wall and pavings, including layout, materials and colours;
- e. the proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme shall be implemented in its entirety approved form within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings

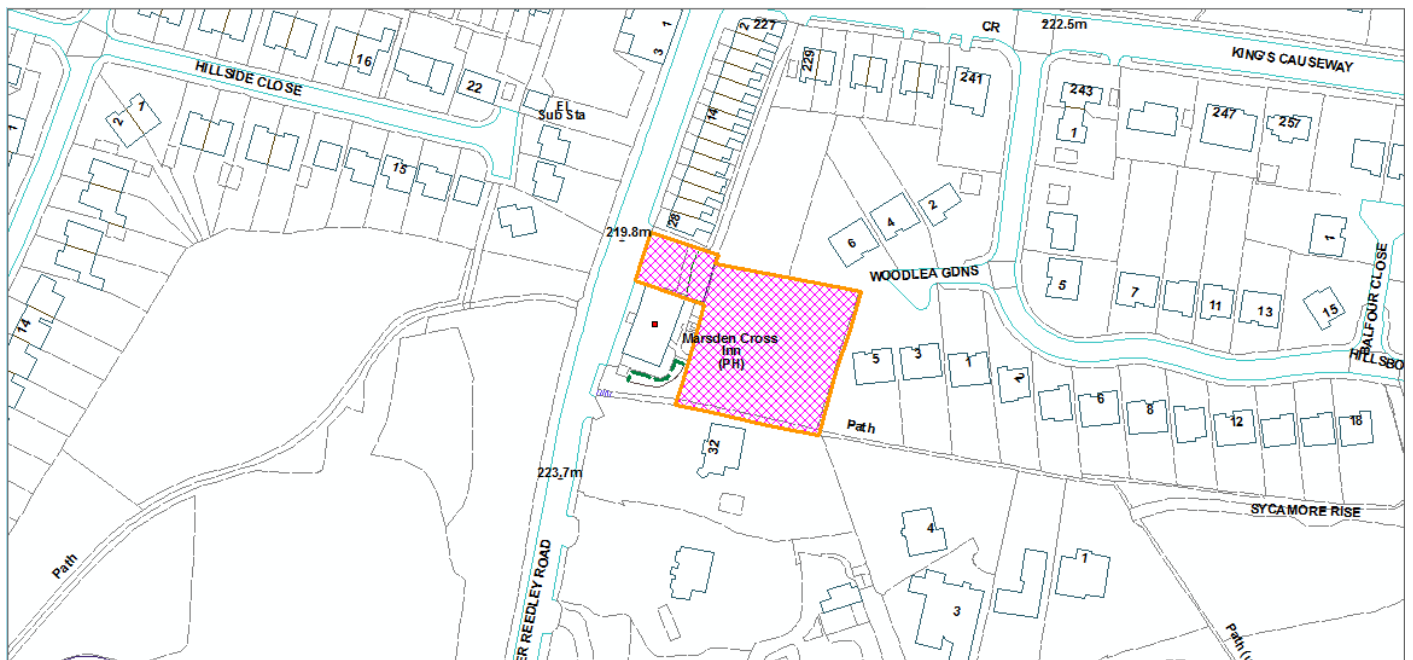
13. Before a dwelling unit is occupied waste containers shall be provided on each plot.

Reason: To ensure adequate provision for the storage and disposal of waste.

Note

1. Public Rights of Way must not be obstructed during the proposed development. It is the landowner's responsibility to ensure that the necessary procedures are followed for the legal diversion of the Public Right of Way if this should be necessary. The granting of planning

permission does not constitute the diversion of a Definitive Right of Way. If it is necessary for Public Rights of Way to be temporarily diverted or temporarily closed, it is the landowner's responsibility to ensure that this is done following the appropriate legal procedures.



Application Ref: 18/0548/FUL

Proposal: Full: Erection of two pairs of three storey semi-detached dwelling houses and formation of access from Higher Reedley Road.

At: 30 Higher Reedley Road, Brierfield

On behalf of: Mr S Ainsworth.

REPORT TO BRIERFIELD AND REEDLEY COMMITTEE ON 8TH JANUARY 2019

Application Ref: 18/0747/HHO
Proposal: Full: Erection of two storey side and rear extension (Re-submission)
At: 84 Higher Reedley Road, Brierfield
On behalf of: Mr Kamran Yusuf
Date Registered: 29.10.2018
Expiry Date: 14.01.2019
Case Officer: Charlotte Pinch

Site Description and Proposal

This application is to be decided at committee as it was called in by a Councillor.

The application site is a two storey semi-detached dwellinghouse located at No.84 Higher Reedley Road, Brierfield. The site is surrounded by residential properties of a similar scale and mass.

The proposed development is for the erection of a two storey side and rear extension, following the demolition of the existing single storey attached garage. It would comprise of a reception room, utility and extended kitchen/diner at ground floor level, with an additional two bedrooms and two bathrooms at first floor level.

This application is a re-submission of a previously approved scheme. This proposal has increase the width of the first floor element of the side extension by 0.5 metres, to be in line with the ground floor element.

Relevant Planning History

18/0459/HHO
Full: Erection of two-storey side (north) and rear extension.
Approved with Conditions. 2018.

Consultee Response

LCC Highways

Higher Reedley Road (C664) is an adopted secondary distributor, urban, single 2 way road with a 30 mph speed limit. There are no waiting restrictions on either side of the road where the property is situated.

The proposed extension will see an increase in bedrooms. Parking standards require properties with 4+ bedrooms to provide 3 off road parking spaces for this type and size of development.

The proposed development sees the loss of a garage. Therefore, a loss of one off road parking space.

Drawing U19-P02, 28.8.18, submitted shows parking for three vehicles on the drive. Two parking spaces have been proposed on the existing front lawn and one on the drive.. The concern is the practicality of the parking proposal on the forecourt area

including safe manoeuvring of vehicles. I would recommend that the local planning authority satisfies itself that the parking spaces are fit for purpose before granting any permission. It is recommended that the 3 parking spaces within the curtilage of the property should have sufficient movement space in order that vehicles are not reversing on to Higher Reedley Road from the drive. This would be detrimental to highway safety.

Our 5 year collisions data shows a record of 4 reported casualties in the vicinity of 84 Higher Reedley Road, Brierfield. There are no waiting restrictions on either side of the road where the property is situated.

It is preferred that the entrance is widened to the whole width of the drive in order to allow three parking spaces side by side. This would be a safer and practical solution for the manoeuvring of vehicles within the curtilage of the property.

The vehicular crossing should be widened to cover the full width of the driveway in order to allow 3 vehicles to access the driveway.

Public Response

One letter of objection was received from a neighbouring occupier, their comments are summarised as follows:

- Loss of light and outlook at ground floor of neighbouring properties.
- Noise and disturbance from the construction of the extension.
- Overlooking from the rear balcony and windows.

Officer Comments

Policy

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 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 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 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.

Design

The Design Principles SPD advises that two storey side extensions should normally be set in from the side boundary, by at least 1 metre. They must be set back from the front wall of the house by a minimum of 1 metre, with a corresponding lowering of the roof line. The SPD also highlights that these requirements may be relaxed if, because of a staggered or irregular arrangement of the dwellings in the street scene, the extension would not create an actual or potential terracing effect.

The two storey side extension element of this proposal is not set back from the front elevation of the dwelling, nor does the design show a drop in the roof line. The side extension has a width of 3.7 metres and is set in from the side boundary with No.82 by 0.3 metres at ground and first floor level. In comparison to the previously approved scheme 18/0459/HHO, the extension would be 0.5 metres closer to the side boundary.

The SPD is guidance and needs to be treated as that. It does not set out definitive positions, but says that these are the standards we should aim for. The SPD says that two storey side extensions should normally be set in from the side boundary, by at least one metre and set back from the front wall of the house by a minimum of one metre with a corresponding lowering of the roof line. The key aim is to prevent an actual or potential terracing effect of properties. In this case, the development would not comply with the guidance, the guidance sets out the reasons why terracing is poor design and in this case the physical relationship the new development would have would result in the nature of development the guidance advises is poor, with which I agree.

The proposed extension is to be constructed of natural slate roof tiles, natural stone facings with render on the side and rear and UPVC fenestration features, to match the existing dwellinghouse. These materials would be acceptable.

Therefore, as submitted the proposal fails to comply with adopted guidance within the SPD, Policy ENV1 and Policy ENV2.

Residential Amenity

The SPD advised that two storey side and rear extensions should generally not breach the 45 degree rule, although some exceptions can be applied where appropriate. 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.

The ground floor and first floor element of the rear extension would have a maximum depth of 4 metres. In accordance with the SPD this would be an acceptable depth for the ground floor element and the first floor element would be set in 1.7 metres from the side boundary with No.86 Higher Reedley Road.

No.86 has a ground floor rear facing window adjacent to the proposed extensions. In accordance with the SPD a 4 metre extension would normally be acceptable when it relates to a single storey extension. A 45 degree line drawn from the centre of the closest window at No.86 towards the first floor extension does not intersect with the extension which reinforces that the relationship would be acceptable.

Two first floor side facing windows are proposed on the north side elevation. These would both serve bathrooms and therefore a condition should be applied to ensure they are obscurely glazed.

Some concerns have been raised regarding overlooking from the first floor Juliet balcony on the rear elevation of the proposed extension. The proposed balcony would not allow for residents to sit out at first floor level, nor would it provide increased visibility to the side of the dwelling. The balcony and windows would be sited 6 metres from the rear boundary of the site, which would back onto the garden of No.1 Moorland Drive. These additional windows and Juliet balcony would not result in an increase in visibility, over and above the existing situation, that would be material.

Therefore, the proposal complies with adopted guidance within the SPD and Policy ENV2 in relation to impacts on residential amenity.

Highways

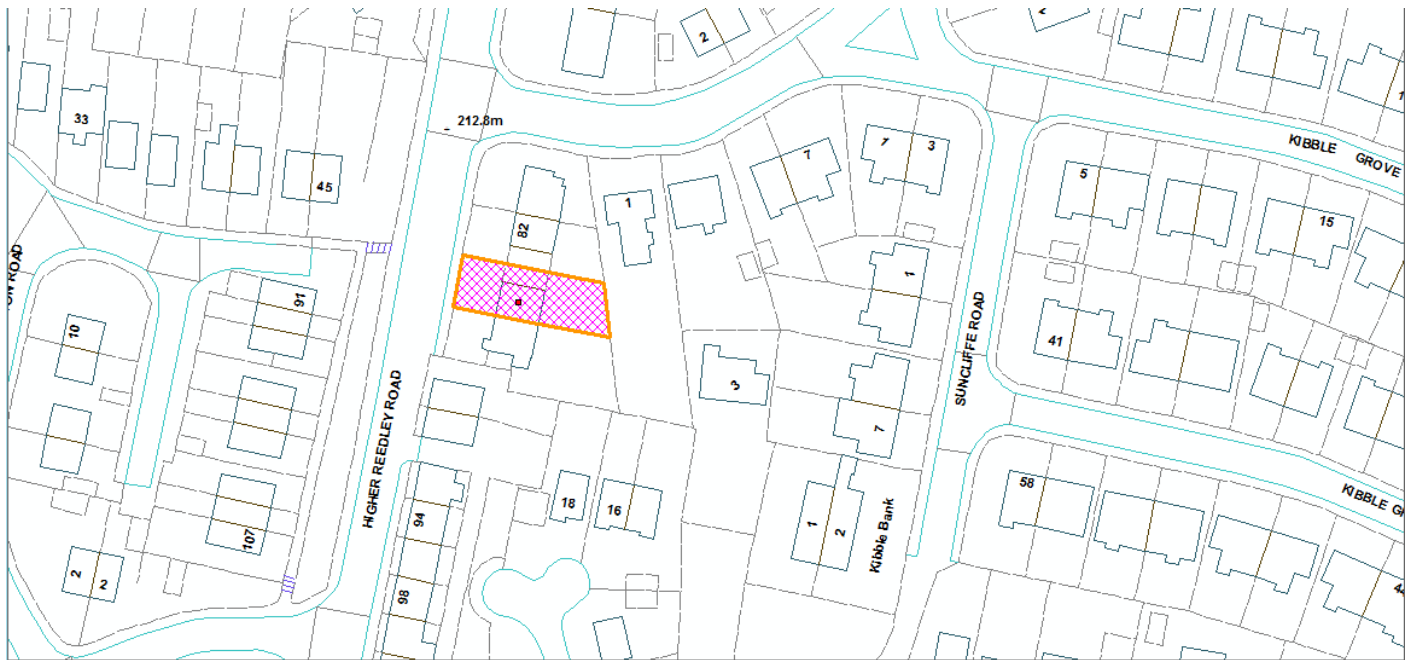
The proposed extension would add two additional bedrooms to the property, creating a four bedroom dwellinghouse. Saved Policy 31 requires three on plot parking spaces to be provided for this size property.

The proposal shows the conversion of the front lawn to hardstanding, to accommodate two additional vehicles, in addition to one on the existing driveway. Therefore three vehicles can be accommodated on plot, which would be sufficient parking provision in accordance with Policy 31.

RECOMMENDATION: Refuse

For the following reason;

The proposed development, by virtue of its scale and distance from the side boundary with No.82, would result in a detrimental terracing effect and an adverse impact on the uniform semi-detached character of the area. The application thereby fails to accord with Policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy and guidance within the Design Principles SPD.



Application Ref: 18/0747/HHO

Proposal: Full: Erection of two storey side and rear extension (Re-submission)

At: 84 Higher Reedley Road, Brierfield

On behalf of: Mr Kamran Yusuf

REPORT TO BRIERFIELD AND REEDLEY COMMITTEE ON 08 JANUARY 2019

Application Ref: 18/0824/HHO

Proposal: Full: Demolition of attached garage and erection of a single storey side and rear extension, alterations to the existing conservatory and insertion of first floor dormers on the North West and South East side elevations.

At: 5 Roundwood Avenue, Reedley

On behalf of: Ms Ahfeen Chaudhry

Date Registered: 07/11/2018

Expiry Date: 02/01/2019

Case Officer: Alex Cameron

This application has been brought before Committee at the request of a Councillor.

Site Description and Proposal

The application site is a detached gable fronted house located with the settlement of Reedley. The site is surrounded by other detached houses of varying style and design. The house is constructed from brick with a concrete tile roof and upvc fenestration.

The proposed development is the demolition of the existing garage and conservatory and the erection of a single storey side and rear extension and the formation dormer windows to both sides on the roof.

The proposed side extension would extend 6.8m from the side of the side of the house and project back 5.2m from the original rear wall of the house

Relevant Planning History

13/92/0064P – Extension to garage – Approved

13/95/0399P – Erection of a conservatory to the rear – Approved

Consultee Response

LCC Highways – No objection. Based on the car parking recommendations in the 'Replacement Pendle Local Plan 2001-2016 Appendix 2: Car and Cycle Parking Standards' in our opinion the developer has provided adequate off-road parking provision for this type and size of development. Please attach a condition for car parking surfacing.

Reedley Hallows Parish Council – The proposed development is over-bearing, out-of-scale or out of character in terms of its appearance compared with existing development in the vicinity

We feel that it will have an adverse effect on the residential amenity of neighbours, by reason of disturbance, overlooking, loss of privacy, and overshadowing. The visual impact of the development would also adversely affect the character of the neighbourhood.

Public Response

Nearest neighbours notified - No response.

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

Policy ENV2 (Achieving Quality in Design and Conservation) states that all new development will be required to meet high standards of design, this is expanded upon in relation to domestic extensions by the Design Principles SPD.

Replacement Pendle Local Plan

Policy 31 (Parking) requires that new developments provide parking in line with the levels set out in Appendix 1 of the RPLP.

Visual Amenity

The proposed dormer windows are within the size limits of permitted development and, if obscure glazed and in similar materials to the existing house, could be formed under those rights without the need for a planning application. Taking this fall-back position into account, the proposed dormer windows are acceptable in terms of their visual amenity impact.

The proposed side extension would mirror the proportions, style and materials of the house. It is acceptable in terms of design and would not result in an adverse impact upon the visual amenity of the area.

The proposed development is therefore acceptable in terms of design in accordance with policy ENV2.

Residential Amenity

An obscure glazing condition would be necessary for the west side rear bedroom window in the proposed dormer to preserve the privacy of No.7. Although the proposed single storey extension would screen any potential privacy impacts upon No.3, it cannot be ensured that it would be built at the same time or at all and therefore an obscure glazing condition is necessary for the dormer windows in the east elevation.

The proposed single storey extension would project along the side boundary with No.3, the projection from the rear elevation of No.3 would be approximately 5.5m, the extension would also run adjacent the conservatory to the side of No.3.

Although the proposed extension would be likely to result in an impact upon the conservatory of No.3 the impact upon the conservatory would not be unacceptable as it would retain an acceptable level of light and outlook from its front elevation.

The Design Principles SPD advises that, a single storey rear extension 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.

There is a bedroom window to the west side of the rear elevation of No.3 and the proposed extension would breach a line of 45 degrees taken from the centre of that window.

The application site is on lower land than No.3 and there is potential for the height difference to mitigate the impact of a single storey extension. However, the proposed single storey extension is relatively tall for a single storey extension with an eaves height of 3m and a ridge height of 5.5m, due to the proposed extension's height and projection it would result in an unacceptable loss of

light to and overbearing effect upon that bedroom window of No.3. The proposed development is therefore unacceptable in terms of its residential amenity impact contrary to Policy ENV2 of the LPP1 and the guidance of the Design Principles SPD.

Amendments to resolve this issue have been requested from the applicant, these could possibly involve either lowering the proposed single storey extension or reducing its projection.

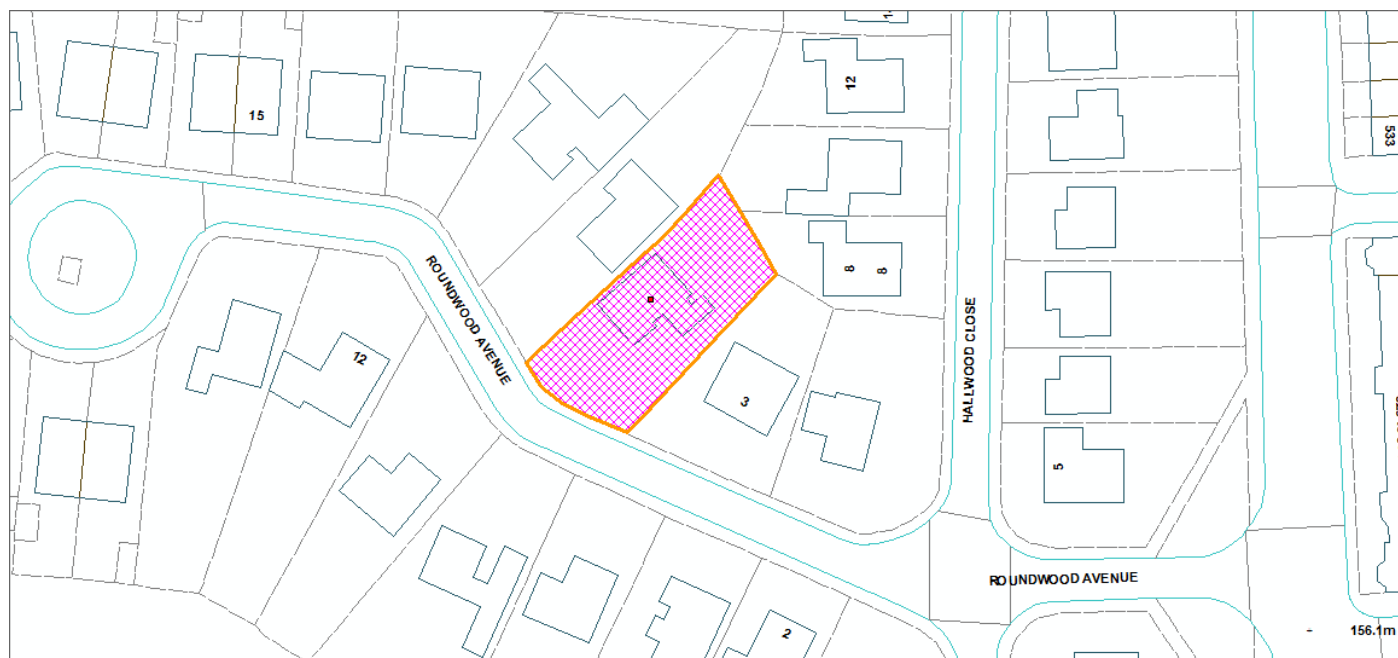
Highways

The site would retain four car parking spaces, which is an adequate level of off-street car parking. The proposed development is acceptable in terms of parking provision and highway safety.

RECOMMENDATION: Refuse

For the following reasons:

1. The proposed extension would result in an unacceptable overbearing impact upon and loss of light to No.3 Roundwood Avenue to the detriment of the residential amenity of occupants of that dwelling, contrary to policy ENV2 of the Local Plan Part 1: Core Strategy and the Design Principles Supplementary Planning Document.



Application Ref: 18/0824/HHO

Proposal: Full: Demolition of attached garage and erection of a single storey side and rear extension, alterations to the existing conservatory and insertion of first floor dormers on the North West and South East side elevations.

At: 5 Roundwood Avenue, Reedley

On behalf of: Ms Ahfeen Chaudhry

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 17th December 2018