



**REPORT FROM:** PLANNING, ECONOMIC DEVELOPMENT AND  
REGULATORY SERVICES

**TO:** BRIERFIELD AND REEDLEY COMMITTEE

**DATE:** 2nd July 2019

**Report Author:** Neil Watson  
**Tel. No:** 01282 661706  
**E-mail:** neil.watson@pendle.gov.uk

## PLANNING APPLICATIONS

### PURPOSE OF REPORT

To determine the attached planning applications.

## REPORT TO BRIERFIELD COMMITTEE ON 2<sup>ND</sup> JULY 2019

**Application Ref:** 19/0322/HHO

**Proposal:** Full: Erection of two-storey extension to side (South) and rear.

**At:** 3 Stanley Street, Brierfield

**On Behalf of:** Mr Muhammad Afzal

**Date Registered:** 29 April, 2019

**Expiry Date:** 24 June, 2019

**Case Officer:** Christian Barton

This application has been referred to committee as it has received more than 3 objections.

### **Site Description and Proposal**

The application site is an end-terrace house located in the settlement boundary. There are similar houses to all sides. The house has natural stone elevations, a slate roof, white uPVC windows and a walled to the rear.

The proposed development is a two-storey extension to the side and rear. It would project 3.9m off the gable elevation at a depth of 13.1m. It would have a split level dual-pitched roof up to 8.4m in height. It would have a natural stone and rendered elevations, a slate roof and white uPVC windows.

### **Relevant Planning History**

No relevant planning history.

### **Consultee Response**

LCC Highways – There is no objection to the proposal. A Construction Method Statement condition should be attached to any approval.

Brierfield Town Council

### **Public Response**

The nearest neighbours have been notified by letter and comments have been received objecting on the following grounds;

- Massing of the development;
- Losses of light;
- Increased parking demands;
- Losses of parking provisions;
- Losses of private views.

## **Officer Comments**

The main considerations for this application are the design, residential amenity and the road network.

### **1. The relevant Pendle Borough Council Local Plan Part 1: Core Strategy (2011 – 2030) policies are:**

- CS Policy ENV2 (Achieving Quality in Design) identifies the need to protect and enhance the 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 the siting and design of development should be in scale and harmony with the wider locality;

### **Other policies and guidance's are also relevant:**

- The Design Principles Supplementary Planning Document (SPD) applies to domestic extensions and sets out the aspects required for good design;
- Policy 31 (Parking) of the Saved Replacement Local Plan relates to parking standards for all new developments.

The principle policy relating to this proposal is Policy ENV2 of the Pendle Local Plan requiring good design. The adopted Design Principles SPD provides further clarity on what is an acceptable design in relation to neighbouring properties and the street scene. Saved Policy 31 of the Replacement Local Plan is also relevant given the proposed addition of bedrooms.

### **2. Design and Visual Amenity**

The Design Principles SPD states that the style, design and scale of domestic extensions should respect the existing character of the location. Concerns have been raised about the massing of the proposal. However, the massing would mimic that of standard terraced housing which proliferate the location. The proposed materials would be in keeping with the property and location. The proposal would be acceptable in terms of design and impacts on visual amenity in accordance with Policy ENV2 and the guidance of the Design Principles SPD.

### **3. Residential Amenity**

Concerns have been raised about losses of light. The proposed rear projection would not breach a 45 degree line measured from the centre of the kitchen window at number 5. The rear yards of the surrounding terraced properties are fully enclosed with tall walls. Those treatments greatly limit natural light from reaching the ground floor windows of neighbouring properties. The proposal would not cause any unacceptable losses of light or overbearing impacts on the immediate neighbours on that basis.

Windows are proposed for three elevations. The house has existing main habitable room windows to the front. The proposed kitchen window would face tall yard walls. The proposed rear bedroom window would overlook yards to the north. However, those yards are already overlooked by the properties on Livingstone Street. It would be unreasonable to refuse an application based on impacts that mirror the current situation. An appropriate obscure glazing condition is attached for the first floor gable windows in order to safeguard the privacy of the neighbours on Halifax Road.

Concerns have been raised about losses of views. Losses of private views are not material planning considerations. There would be no losses of public views to the extent that would justify

refusing the application. Subject to conditions, the proposal would have no unacceptable impacts on residential amenity in accordance with Policy ENV2 and the guidance of the Design Principles SPD.

#### **4. Highways**

Concerns have been raised about parking and increased highway activity. The proposal would result in losses of off-street parking. However, residential parking in the area is almost exclusively provided by on-street provisions. LCC Highways have recommended a Construction Method Statement condition but this is not required given the scale of the proposal. LCC Highways have raised no principle objections and I concur with their findings. The development would have no detrimental impacts on the road network.

#### **5. Summary**

The application seeks to erect a two-storey extension to the side and rear. The proposal would have no detrimental impacts on residential amenity, visual amenity or the road network in compliance with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011 – 2030), Saved Policy 31 of the Replacement Local Plan and the guidance of the Design Principles Supplementary Planning Document.

#### **Reason for Decision**

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan, unless material considerations indicate otherwise. Subject to appropriate conditions, the development would be acceptable in terms of the design and it would not adversely impact on residential amenity or the road network. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

#### **RECOMMENDATION: Approve**

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 strict accordance with the following approved plans: 8020/10.

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

3. All materials to be used for the proposed development hereby approved shall be as stated on the application form and approved drawings and they shall not be varied without the prior written permission of the Local Planning Authority.

**Reason:** Those materials are appropriate for the development and site.

4. Prior to first use of the development hereby approved, the first floor windows on the gable (south) elevation shall be fitted with obscured glazing with a level of obscurity of Level 3 or above, unless otherwise agreed in writing by the Local Planning Authority, which shall thereafter be retained in perpetuity. Any replacement glazing shall be of an equal degree of

obscurity. The windows shall also be hung in such a way so as to prevent the effects of obscure glazing being negated by way of opening.

**Reason:** In order to protect the privacy of the occupiers of adjacent property and prevent overlooking.

Informative

If it is necessary to temporarily close the back and side streets to allow this development to be completed then the applicant must ensure that the appropriate permits are obtained from Lancashire County Councils Streetworks Team. Further information can be sought from our website [www.lancashire.gov.uk](http://www.lancashire.gov.uk).



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**LIST OF BACKGROUND PAPERS**

Planning Applications

**NW/MP**

**Date: 20<sup>th</sup> June 2019**