

REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND REGULATORY SERVICES MANAGER

TO: BRIERFIELD AND REEDLEY COMMITTEE

DATE: 6 NOVEMBER 2019

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DWELLING TO REAR OF 509 - 511 COLNE ROAD, REDMAN ROAD, REEDLEY

PURPOSE OF REPORT

To consider the planning impact of the development.

RECOMMENDATIONS

To note the report and agree that no further formal action be taken.

REASONS FOR RECOMMENDATIONS

The development raises no material planning issues and to take action based on issues that are not material planning matters would be unreasonable.

ISSUES

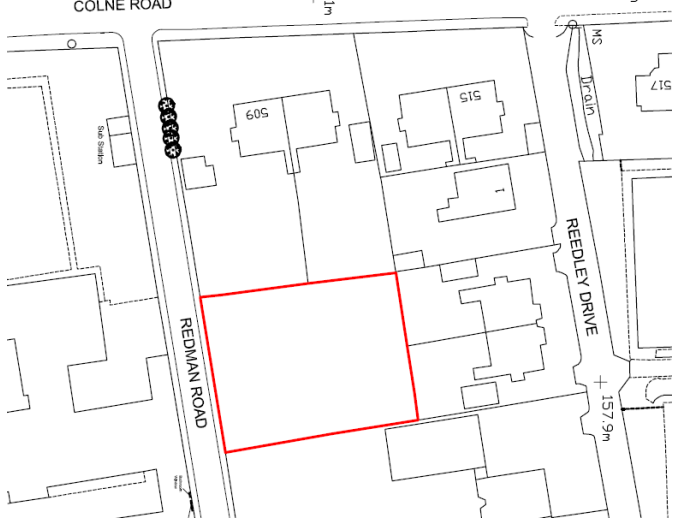
1. Approval was given for the construction of a dwelling house off Redman Road Reedley on 4 February 2016. The approval allowed 3 years in which to commence the construction. Foundations for the construction were completed by 1st November 2016.
2. On 19th September 2019 the owner of an adjoining property reported that the construction of the building overlooked his property and that he had no knowledge of the planning approval
3. A site visit revealed that the building was being constructed in accordance with the approved plans and that the fenestrations at all floor levels on the western elevations were as outlined on the approved drawings. However, it was found that the height of the ground floor, floor

level was between 50 and 54 cm higher than approved, when measured along the western elevation.

4. The complaint relates to the issue of overlooking upon the adjoining properties, west of the construction. The complainant's property is 28 metres from the openings on the western elevation, through mature trees. The approved plans include a 2 metre high boundary fence, this remains in position. The additional circa 50 cm rise in the height of the property, makes no difference to the alleged overlooking factor as the openings would always have allowed a view above the 2 metres fence.
5. Whilst it is understood why there would be concern about the overlooking of the neighbouring house this would have been considered when the application was made. It is understood that the complainant bought the property knowing that an approval existed for the construction of the dwelling and purchased the property without making any enquiries into the design of the building.
6. The deviation from the approved plans is minor and is considered to cause no planning harm to the amenity of the area. The increase in the ground floor height does not have any significant impact upon the neighbouring properties. The small increase in height has not increased the overlooking impact on neighbours from that approved in 2016. It is not considered proportionate or expedient to take any enforcement action in this case.

Recommendation

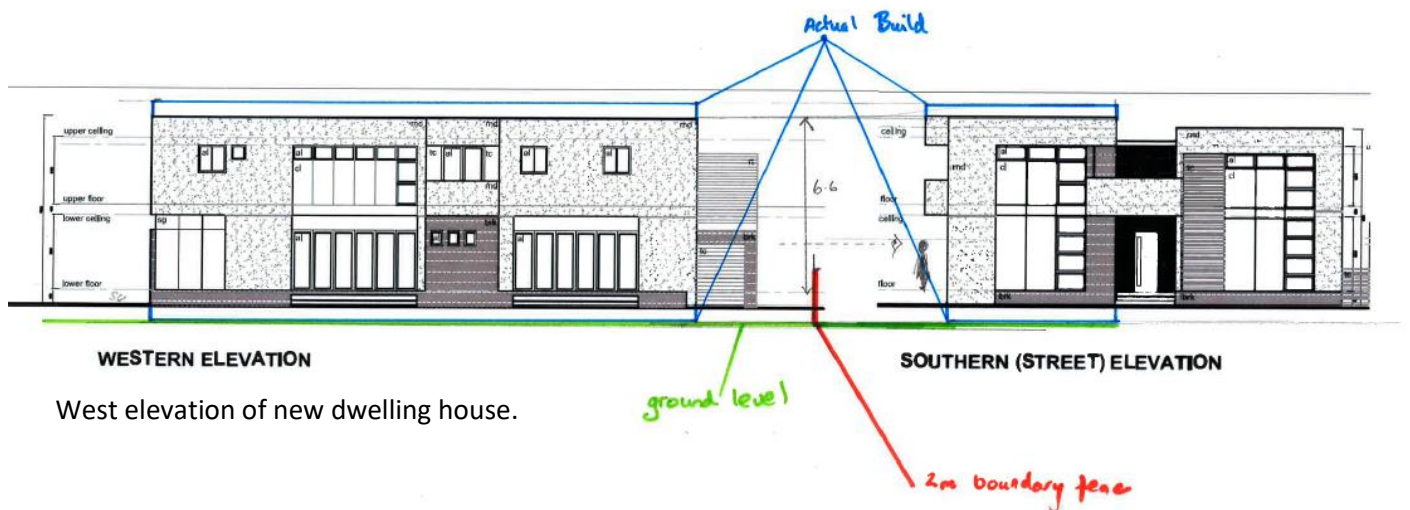
It is recommended that no further action be taken.



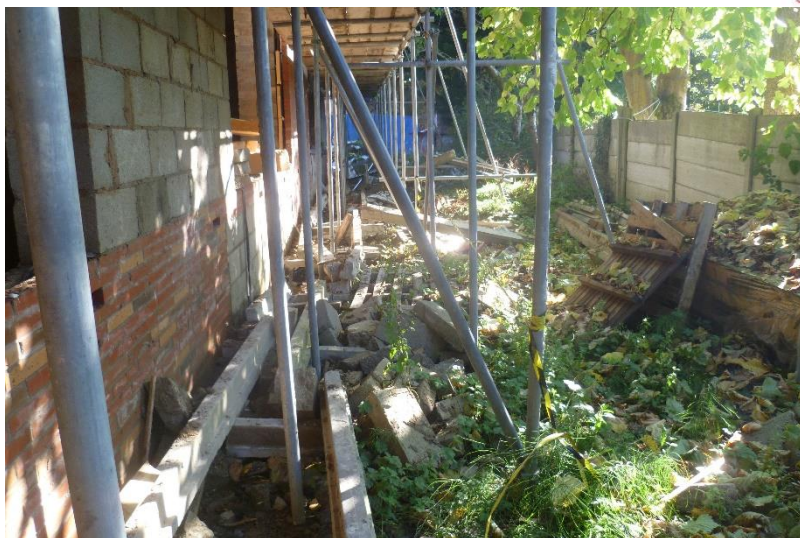
Site location outlined in red



Google Earth view of site location



West elevation of new dwelling house.



Western elevation of new dwelling.

IMPLICATIONS

Policy: None

Financial: Risk of costs being awarded if enforcement considered unreasonable.

Legal: None arising directly from the report.

Risk Management: None arising directly from the report.

Health and Safety: None arising directly from the report.

Sustainability: None arising directly from the report.

Community Safety: None arising directly from the report.

Equality and Diversity: None arising directly from the report.