

**REPORT OF:** PLANNING, ECONOMIC DEVELOPMENT AND REGULATORY SERVICES MANAGER

**TO:** POLICY AND RESOURCES COMMITTEE

**DATES:** 21<sup>st</sup> November, 2019

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

## PLANNING REPORTS

### PURPOSE OF REPORT

To determine the attached planning application(s).

## REPORT TO POLICY AND RESOURCES COMMITTEE 21<sup>ST</sup> NOVEMBER, 2019

**Application Ref:** 19/0613/HHO

**Proposal:** Full: Demolition of existing kitchen and stores and erection of replacement single-storey rear extension.

**At:** 25 Sefton Street, Brierfield

**On Behalf of:** Mrs Farzana Zaman

**Date Registered:** 15 August, 2019

**Expiry Date:** 10 October, 2019

**Case Officer:** Christian Barton

This application has been referred to Policy and Resources Committee as Brierfield and Reedley Area Committee were minded to approve it. The proposal would be a significant departure from Policy ENV2 of the Local Plan Part 1: Core Strategy (2011 – 2030), alongside the guidance of the Design Principles SPD as the development would create overbearing impacts and unacceptable losses of light for the neighbours to the north, at number 23.

### **Site Description and Proposal**

The site is a mid-terrace house located in the settlement of Brierfield. It is surrounded by similar housing to all sides. The house has natural stone elevations, a slate roof, white uPVC windows and a walled yard to the rear.

This application involves the erection of a single-storey extension following demolition of an outrigger and store buildings. The proposed extension would have depth of 6.3m, a width of 3m and a felt flat roof up to 3.8m in height. It would have rendered elevations and white uPVC windows.

### **Relevant Planning History**

No relevant planning history.

### **Consultee Response**

LCC Highways – The Highway Development Support Section would raise no objection to the proposal on highway safety grounds.

Brierfield Town Council

### **Public Response**

The nearest neighbours have been notified by letter and no comments have been received.

### **Officer Comments**

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

## **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, context and harmony with the wider locality.

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

- The Design Principles Supplementary Planning Document (SPD) applies to domestic developments and sets out the aspects required for good design;

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.

## **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. The extension would not occupy a prominent position in the street scene and the materials proposed are common to the location. It would be a proportionate addition to the house in terms of roof height and the proposal would have no unacceptable impacts on visual amenity.

## **3. Residential Amenity**

The Design Principles SPD states that development proposals must adequately protect neighbours enjoying their homes. Windows are proposed facing the rear yards of adjoining properties. However, those yards are already overlooked by existing windows and the proposal would have no unacceptable impacts on domestic privacy.

Section 5.7 of the Design Principles SPD states that single-storey rear extensions located immediately adjacent to the party boundary are only acceptable where they would not create any unacceptable losses of light for neighbours, or overbearing impacts. The Design Principles SPD further advises that such extensions of depths greater than 4m will only be permitted if they do not breach the 45 degree rule.

The extension is proposed directly on the party boundary with number 23, the neighbouring house immediately to the north. Number 23 has a lounge window to the rear. Here the development would fail to respect the 45 degree rule for those neighbours. Whilst the proposed roof height has been reduced to be as low as feasible, the introduction of such a depth at a mid-terrace property can rarely be achieved without having an adverse impact on neighbours.

It is acknowledged that two similar extensions (at numbers 3 and 9) have been approved following adoption of the Design Principles SPD. However, those proposals were deemed to be acceptable in each case given the presence of existing extensions/alterations at adjoining properties which mitigated against any overbearing impacts. Moreover, an application (19/0675/HHO) to retain a similar unauthorised extension at number 21 has been recently refused given overbearing impacts on neighbours.

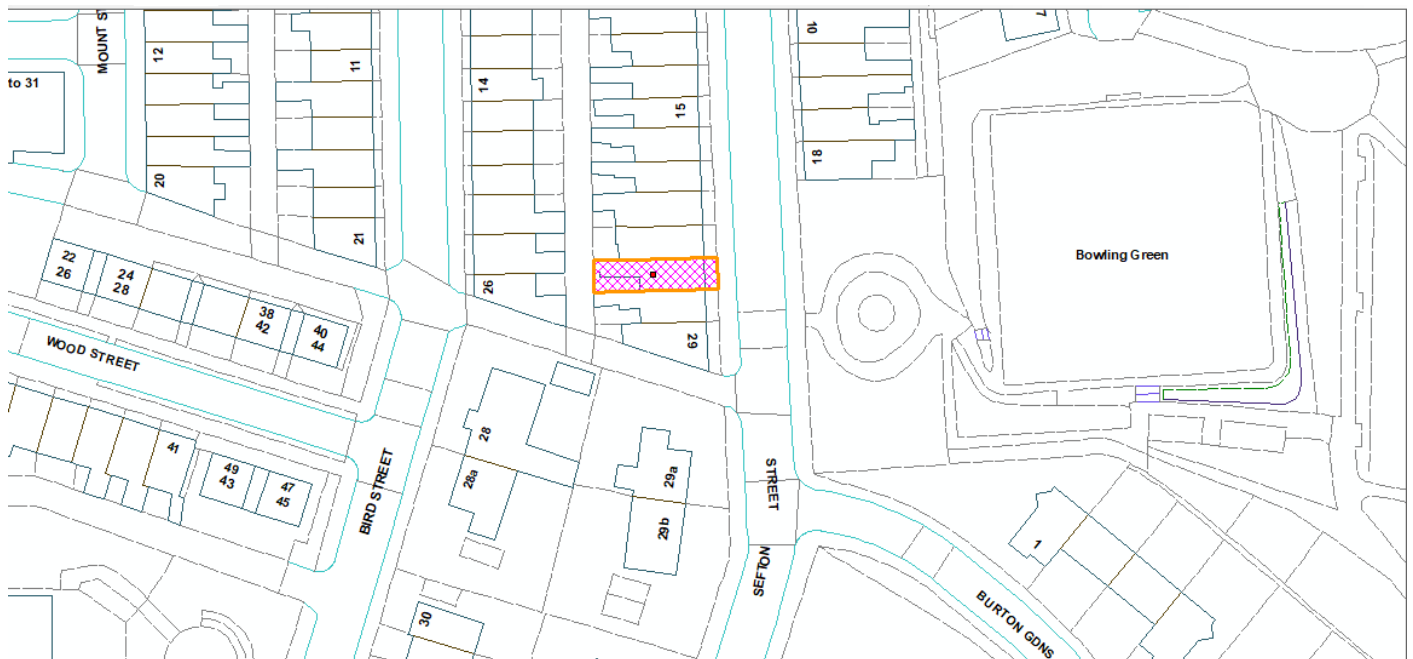
The proposal here would appear significantly overbearing and would cause unacceptable losses of light for the neighbours at number 23 and therefore it does not accord with Policy ENV2 and the guidance of the Design Principles SPD.

#### 4. Summary

The application seeks to erect a single-storey rear extension. The proposal would be acceptable in design terms. However, the depth of the extension, at 6.3m would create significantly overbearing impacts and unacceptable losses of light for the neighbours to the north and the proposal fails to comply with Policy ENV2 and the guidance of the Design Principles SPD.

#### **RECOMMENDATION: Refuse**

1. The proposed rear extension, by virtue of its 6.3m depth, would appear significantly overbearing and would result in unacceptable losses of light for the occupants of 23 Sefton Street to the north and the development therefore fails to comply with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011 – 2030) and the guidance of the Design Principles Supplementary Planning Document.



**Application Ref: 19/0613/HHO**

**Proposal:** Full: Demolition of existing kitchen and stores and erection of replacement single-storey rear extension.

**At:** 25 Sefton Street, Brierfield

**On Behalf of:** Mrs Farzana Zaman

#### **LIST OF BACKGROUND PAPERS**

Planning Applications

**NW/MP**

**Date: 12<sup>th</sup> November 2019**