



ITEM 4(b)

REPORT FROM:	PLANNING, ECONOMIC DEVELOPMENT AND REGULATORY SERVICES
TO:	POLICY AND RESOURCES COMMITTEE
DATE:	28th OCTOBER, 2020

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning application.

REPORT TO POLICY AND RESOURCES COMMITTEE ON 28th OCTOBER 2020

Application Ref: 20/0289/HHO

Proposal: Full: Demolition of existing conservatory and erection of a single storey rear extension.

At: 159 Reedley Road, Reedley.

On behalf of: Mr and Mrs Hussain

Date Registered: 05.06.2020

Expiry Date: 19.10.2020

Case Officer: Charlotte Pinch

This report has been referred from Brierfield and Reedley Committee as members were minded to approve the application, against officer's recommendation.

A previous application on the site, 19/0198/HHO, was refused by the Council under delegated powers for a comparable proposal. This proposal would result in unacceptable loss of light and significant overbearing impacts on the occupants of No.1 Reedfield. Whilst the impact of the proposal would be mitigated by a 6m long extension, which was approved at No.1 Reedfield, no works on this have yet commenced.

If approved this would result in a significant departure from policy and the development would result in severe detrimental impacts on the living conditions of the occupants of the adjacent property. Also, due to the previous decision of the Council to refuse a comparable proposal in 2019, an approval in this case could lead to a potential Ombudsman case.

Site Description and Proposal

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

The application site is detached house located in the settlement boundary. There are similar houses positioned to all sides. The house has red brick elevations, a concrete tiled roof, brown uPVC windows and garden areas to the front and rear.

The proposed development is an extension to the rear following demolition of a conservatory. The proposed extension would have a depth of 9.7m, a width of 5.7m and a pitched roof 3.6m in height. It would have brick elevations, a slate tiled roof and uPVC windows.

Relevant Planning History

19/0198/HHO

Full: Demolition of conservatory to rear and erection of a single storey rear extension.
Refused. 2019.

Consultee Response

None received.

Public Response

None received.

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 (Presumption in Favour of Sustainable Development) takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) 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 (Achieving Quality in Design and Conservation) 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 sets out the maximum parking standards for development.

The Design Principles Supplementary Planning Document (SPD) applies to extensions and developments, setting out the requirements for good design and protecting residential amenity.

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.

Design

The single storey rear extension would not be visible from the front elevation of the dwelling or dominant from any public vantage points. The dual pitched roof and external materials consisting of brick and slate roof tiles, would be in keeping with the main dwellinghouse.

The design and materials of this development are acceptable in this location and as such comply with Policies ENV1, ENV2 and the Design Principles SPD.

Residential Amenity

The Design Principles SPD states 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 from the rear elevation of the existing dwelling.

The SPD further advises that a single storey extension of greater depth will normally only be permitted if it does not breach a 45 degree angle. The 45 degree line is a measure of the impact a development would have on the living environment of adjoining properties.

The proposed single storey rear extension has a total depth of 9.7 metres, with less than 1m separation distance from the south western side boundary with No.1 Reedfield.

No.1 Reedfield has ground floor rear conservatory extension in close proximity to the proposed development. When a 45 degree line is drawn from the rear elevation of the conservatory, the extension significantly breaches the 45 degree line. The 45 degree line serves to illustrate situations that are likely to have a detrimental impact on the adjoining property due to scale and proximity. In this case the development would appear large and dominate the adjoining property. The development would have a significant overbearing impact and be detrimental to the living conditions of the adjoining occupier. As such the proposal would be significantly detrimental to the living conditions of the occupants of the adjoining property and fails to comply with adopted guidance within the SPD and Policy ENV2.

It is acknowledged that the proposed site plans show an approved single storey rear extension, of 6m depth, in place of the existing conservatory at No.1 Reedfield

(19/0923/HHO). Once built, this extension would comply with the 45 degree rule, however following a site visit it is confirmed that works on the approved extension have not commenced. As a result, this permission can be given very little weight in the consideration of the proposed extension at No.159 Reedley Road.

Highways and Parking

The proposed development would not result in an increase in requirement for parking provision or loss of existing on plot parking. As a result, no objections are raised in relation to Policy 31.

RECOMMENDATION: Refuse

The proposed extension, by virtue of its 9.7m depth, would appear unduly dominant to neighbours and would result in unacceptable losses of light and significantly overbearing effects on the occupants of No.1 Reedfield to the south west of the site. The development therefore fails to comply with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011 - 2030) and the Design Principles Supplementary Planning Document.