

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

TO: POLICY AND RESOURCES COMMITTEE

DATE: 26th NOVEMBER, 2020

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning application.

REPORT TO POLICY & RESOURCES COMMITTEE 26th NOVEMBER, 2020

Application Ref: 20/0450/HHO

Proposal: Full: Erection of two storey side extension and part two storey part single storey rear extension, formation of parking area to front and erection of 3m high fence to rear boundary.

At: 3 Clegg Street Brierfield

On behalf of: Mr Asham

Date Registered: 17 July 2020

Expiry Date: 11 September 2020

Case Officer: Kathryn Hughes

This report was been referred from Brierfield and Reedley Committee as Members were minded to approve this application against the officer's recommendation which would result in a significant departure from policy as the proposed development would result in severe detrimental impacts on the living conditions of the bungalow to the rear of the site.

Amended plans have been submitted between the previous report being written and the meeting which sets the first floor element back by approximately 0.7m and seeks to obscure glaze both the rear first floor bedroom windows as well as erect a 3m high fence on the rear boundary which was not included in the original application.

These changes would not be sufficient to address the impact of the proposal and the 3m high fence would not be acceptable as this in itself would have an adverse impact on the habitable rear windows of the bungalow.

This was reported to Members both at the site visit and at the meeting.

Site Description and Proposal

The application site is a semi-detached residential property within a residential area in the settlement boundary of Brierfield.

This application seeks to erect a two storey side extension and part two storey part single storey rear extension to form two further reception room, a kitchen and W.C. at ground floor and two bedrooms and a study/library at first floor.

The proposed two storey side extension would project out to the side by 2.5m and has an overall depth of 8.9m, 3.85m beyond the existing house at a height of 5m to eaves and 7m to ridge. The single storey element would be located adjacent to the side boundary with no. 1 and project out 3.85m with a height to eaves of 2.5m and overall height of 3.5m.

There are existing fence and hedges along the boundary

The extensions would be finished in brick and an off-white render to match the existing house. Roof slates to match the existing are proposed.

Relevant Planning History

None.

Consultee Response

LCC Highways – No objection but recommend that the parking areas are of a bound porous material and created prior to first occupation.

Brierfield Town Council

Public Response

Nearest neighbours notified by letter without response.

Officer Comments

The main considerations for this application are impact on residential amenity, impact on amenity, design and materials and highway issues.

1. Policy

The relevant policies are:

ENV2 sets out general design principles and climate change.

The Design Principles Supplementary Planning Document SPD offers advice on domestic extensions.

2. Impact on Residential Amenity

Policy ENV 2 requires all new development to meet high standards of design, being innovative to obtain the best design solution and use materials appropriate to the setting.

The Design SPD states in the General Principles that extensions should leave adequate room around the dwelling to avoid a cramped appearance, take account of regular spacing to avoid a terracing effect and leave adequate garden area.

In terms of impact on neighbours it states that extensions must adequately protect neighbours enjoying their own homes and extensions must not overshadow to an unacceptable degree or have an overbearing effect on neighbouring properties. Windows in extensions should not directly and inappropriately overlook adjacent properties. Extensions should have regard to the minimum spacing standards and maintain a distance of 21m between habitable room windows in properties that directly facing each other.

The adjacent semi no. 5 Clegg Street would not be unduly affected by this proposal as although the rear extension would project 4m further rearwards than the existing rear elevation this is separated by

a distance of 4m from the proposed two storey side extension. The proposed single storey element to the rear would project out 4m along the side boundary with no. 1 Clegg Street which would also be acceptable. However, the properties to the rear are bungalows and these, as well as the application site, have very shallow rear gardens of 9.6m at its longest point reduced to 6m at its shortest.

At present the distance between the application site and no. 15 is 14m rear elevation to rear elevation whilst the distance to no. 13 is only 12m at the nearest point excluding the existing conservatory on the rear of the application site which projects out 3m. This is already a constrained site therefore and the two storey element would reduce the distance to 8.7m rear to rear from No. 13 which is clearly well below the 21m. Moreover, the standards require significant changes in levels to be taken into count for example the relationship between a two storey and three storey building/extension the separation distance should be increased by 3m. i.e. 24m and not 21m. The same would apply here as a two storey house to a single storey bungalow.

Although the bungalows are set at an oblique angle this proposal would clearly impact on amenity and would lead to overlooking from the two proposed bedroom windows and also an overbearing impact when viewed from the rear windows of no. 13 which has its main bedroom window in this rear elevation and this proposal would severely impact on that outlook to an unacceptable degree.

The proposed two storey rear extension therefore would result in an adverse impact on the neighbouring property at no. 13 Clegg Street due to the lack of appropriate separation distance and height of the proposal in relation to the rear boundary.

The agent has proposed a 3m high boundary treatment and obscure glazing to the two first floor rear bedroom windows. A boundary treatment of 3m would in itself lead to unacceptable impacts being sited only 6m from the rear elevation of the bungalow (7.4m from the bedroom window) and would only provide screening of the ground floor element, whilst obscure glazing for first floor bedroom windows is not an acceptable design solution and would not address the overbearing impact of the two storey element.

In terms of setting the first floor rear projections back by 0.7m this would not provide sufficient separation distances in my view and therefore would not provide an acceptable solution. I fail to see how any two storey projection here would not impact on the bungalow to the rear in terms of privacy and overbearing impact.

Reference has also be made to a two storey extension recently approved at No. 35 Clegg Street. However, this application is different in that is a corner property and the two storey rear element faces onto a gable with entrance door, bathroom and secondary lounge window and not a rear elevation with habitable room windows. In any event each application is considered on its own merits.

The proposal therefore fails to accord with policy ENV2 and the Design SPD in this respect.

3. Design and Materials

Whilst the two storey extension would be fairly prominent in the street scene it is set back from the street by 5.4m and therefore would not create an incongruous feature in the street scene and in this respect it complies with the Design SPD in relation to two storey side extensions.

The use of brick and render and roof tiles would be acceptable in this location.

The extension is acceptable in terms of design and materials and therefore accords with policy ENV2 and the Design Principles Supplementary Planning Document in this regard.

4. Highways

The property currently has two bedrooms and the extension would result in an additional two bedrooms. At present the site does not have any off-street parking and the proposal seeks to create off-street parking for one vehicle which is acceptable.

This would be acceptable and accords with Policy 31.

5. Summary

The proposed two storey rear extension element and the 3m high fence on the rear boundary would adversely impact on the amenity of the bungalows to the rear at no.13 Clegg Street due to its proximity of 6m/7.4m to habitable room window.

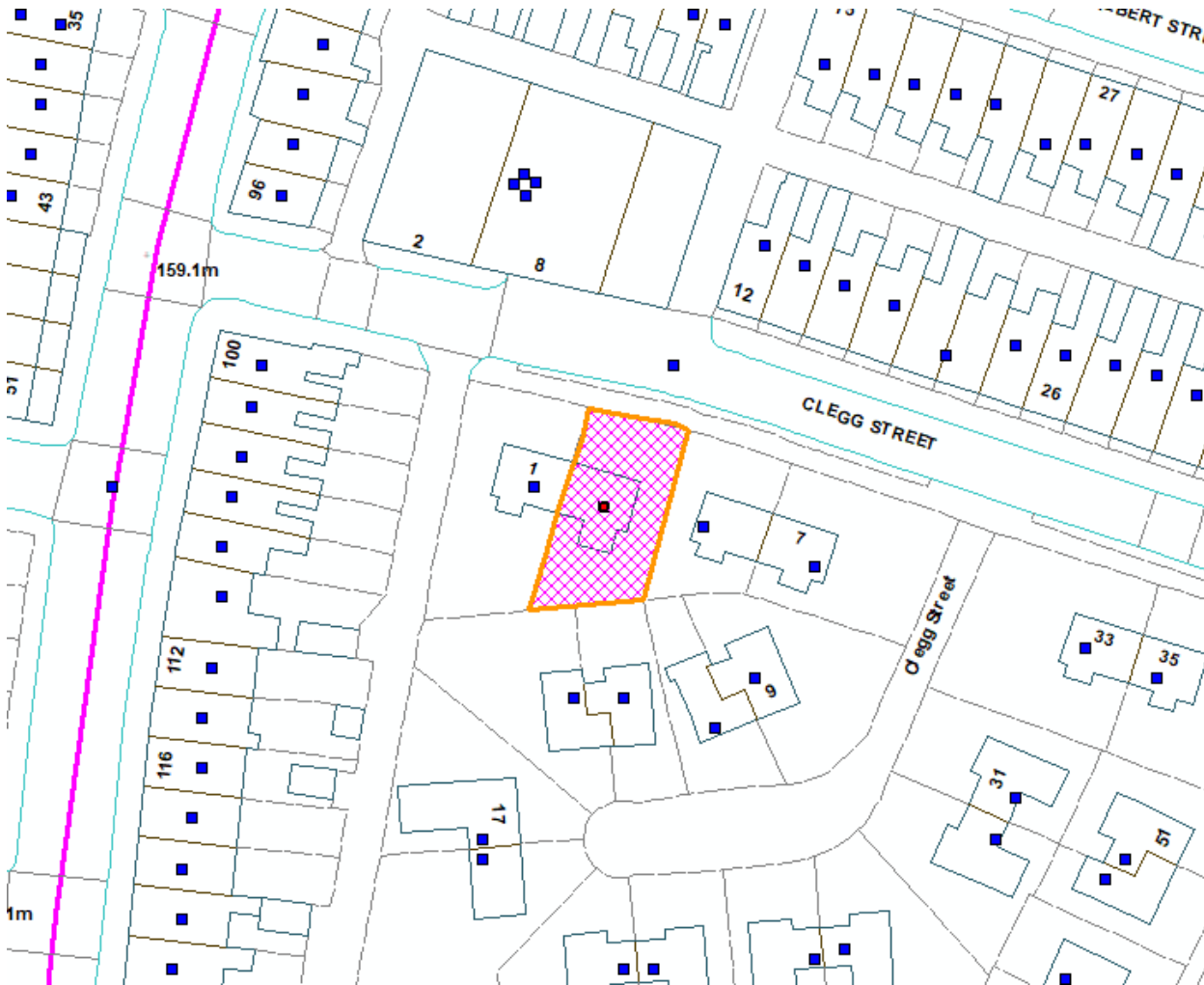
The scheme therefore fails to accords with policies ENV2 of the Core Strategy and the Design Principles Supplementary Planning Document.

Recommendation: Refuse

For the following reason:

1. The two storey rear extension element of this proposal would reduce the distances between the application site and the bungalows sited to the rear (no.13 Clegg Street) to an unacceptable degree that would adversely impact on the amenity of this property and result in overlooking and an overbearing impact when viewed from the rear windows. The 3m high fence on the rear boundary would create an overbearing impact when viewed from the rear windows of No. 13 Clegg Street.

The scheme therefore fails to accords with policies ENV2 of the Core Strategy and the Design Principles Supplementary Planning Document.



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