



<b>REPORT FROM:</b>	<b>PLANNING, ECONOMIC DEVELOPMENT AND REGULATORY SERVICES MANAGER</b>
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<b>TO:</b>	<b>POLICY AND RESOURCES COMMITTEE</b>
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<b>DATE:</b>	<b>16<sup>th</sup> SEPTEMBER, 2021</b>
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## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning applications.

## **REPORT TO POLICY & RESOURCES COMMITTEE 16<sup>th</sup> SEPTEMBER 2021**

**Application Ref:** 21/0484/HHO

**Proposal:** Full: Erection of a single storey rear extension and 2.7m high close boarded fence to north east boundary.

**At:** 106 Regent Street, Nelson

**On behalf of:** Miss Emma Croft

**Date Registered:** 7<sup>th</sup> June 2021

**Expiry Date:** 2<sup>nd</sup> August 2021

**Case Officer:** Laura Barnes

This application has been referred from Nelson, Brierfield & Reedley Committee.

### **Site Description and Proposal**

The application site relates to a semi-detached dwellinghouse sited within the settlement boundary of Nelson.

The proposal is for a single storey rear extension to the rear, the extension would comprise of two ground floor bedrooms and shower room, to be constructed of brick and render, it is to have a flat GRP roof with white PVC windows and doors.

The proposed extension is to have a stepped footprint, ranging from 7.8m to 11m in length with a maximum width of 5.5m. The proposed extension is to have a flat roof measuring 2.8m in height.

The application also seeks permission for a 2.7m high close boarded fence along the side boundary with No. 108 Regent Street, Nelson.

### **Relevant Planning History**

13/14/0176N: Permitted Development Notification (Proposed Large Home Extension): Erection of single storey extension to rear (Length 6m, eaves height 2.55m, overall height 2.8m) - Prior Approval Not Required.

16/0810/HHO: Full: Erection of part two storey, part single storey rear extension – Refused.

17/0307/HHO: Full: Two storey extension to the rear with part single storey (Re-Submission) –Refused.

18/0767/LHE: Permitted Development Notification (Larger Home Extension): Erection of single storey extension to rear (Length 6m, Overall Flat Roof Height 2.8m) - Prior Approval Not Required.

## **Consultee Response**

### LCC Highways

There is an increase of two bedrooms with this proposal (Ref: Layout plan – Proposed rear single storey extension 3.6.21).

There is no mention of existing number of bedrooms in this property. A 4 bedroom dwelling should include off road parking provision equivalent to the recommendations set out in the 'Car and Parking and Access Standards'. In addition the layout (size) should also conform to these standards. 3 parking spaces are required for a 4 bed roomed and 2 parking spaces for a 2/3 bedroom residential dwelling. Further to a visit to the site there was clearly a parking problem within the vicinity of proposal. The property had a H bar marking outside the access, there were speed humps on Regent Street and there was also considerable on street parking. An investigation of the 5 year accident record shows 5 collisions have occurred on Regent Street.

A parking plan is required to show how the required parking spaces required for this proposal can be achieved within the curtilage of the property.

If these can be achieved there is no objection on highway grounds.

Should the application be approved a condition relating to parking areas should be attached.

## **Public Response**

Nearest neighbours notified by letter without response.

## **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 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.

The Design Principles Supplementary Planning Document (SPD) applies to extensions and sets out the aspects required for good design.

#### Replacement Pendle Local Plan

Saved Policy 31 sets out the maximum parking standards for development.

#### 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 of 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 and Materials**

The Design Principles SPD advises that single storey rear extensions should be constructed in materials and style to match the existing dwellinghouse. Pitched roof elements are preferred and forward projections would only be supported if they are appropriate to the dwellings design.

The single storey extension is to extend to the rear boundary of the plot by a maximum of 11m. This would be disproportionate to the existing dwelling and although located to the rear which in some cases is acceptable, the large expanse of flat roof would amount to poor design, contrary to paragraph 134 of the National Planning Policy Framework.

The proposed development is to be constructed of brick and render, with a flat rubber roof and UPVC windows and doors.

Overall, the design of the proposed extension is of a poor design and does not comply with paragraph 134 of the Framework or Policies ENV2 and the Design Principles SPD.

### **Impact on Residential Amenity**

The proposed single storey extension is to project out with a stepped rear elevation. The shortest part of the extension is set in by 0.6m from the adjoining dwelling (No. 108 Regent Street). However, the projection at this point of 7.8m would significantly breach the 45 degree angle (by 5m) with the ground floor neighbouring windows which are sited 1m from the boundary and serve a habitable room.

As such, this would result in an unacceptable loss of light and an overbearing impact on the adjoining dwellinghouse.

Furthermore, there is a window proposed to the side elevation of the proposed extension which would look towards the rear garden of No. 108 Regent Street. Although it is noted that a 2.7m high fence is proposed along the boundary between the neighbours. The occupants of the proposed extension would not be able to see over the fence, due to its height but this would restrict light into the window and represents poor design. The fence in itself would result in a loss of light to the neighbours given its position upon the boundary and height. This in itself would warrant a reason for refusal due to the overbearing impact it would have upon the neighbouring dwelling.

In terms of the impact upon No. 104, the proposed extension is to be sited 2m from the shared boundary between the properties. Although it is acknowledged that No. 104 is not sited right up to the shared boundary. However, the proposed extension is so great in length that this would also breach the 45 degree angle with the ground floor rear windows to the neighbouring dwelling (by 6.5m). There is one obscure glazed ground floor window, in addition to the door, to the side elevation of No. 104 which is closest to the proposed extension. However, this does not serve a habitable room (ground floor WC) and as such would not need the same level of protection as the ground floor habitable room window to the rear elevation.

The proposal therefore fails to accord with Policy ENV2 of the Local Plan: Core Strategy and the Design Principles SPD.

## **Highways**

The proposed development would result in the increase of two bedrooms. The property will have a minimum of four bedrooms and would therefore require three off-street parking spaces.

There is one existing off-street car parking space and as such the proposal would be deficient by two car parking spaces. This is acceptable and would not duly impact on highway safety.

## **RECOMMENDATION: Refuse**

Due to the following reasons:

1. By virtue of height, proximity to habitable room windows and projection from the rear elevations the proposed development would result in unacceptable impacts upon the adjoining dwellinghouses (Nos. 104 & 108 Regent Street) resulting in a loss of light and an overbearing impact, contrary to Policy ENV2 of the Local Plan Part 1: Core Strategy and the guidance of the Design Principles Supplementary Planning Document.