



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

<b>Report Author:</b>	<b>Neil Watson</b>
<b>Tel. No:</b>	<b>01282 661706</b>
<b>E-mail:</b>	<b>neil.watson@pendle.gov.uk</b>

## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning applications.

## **REPORT TO POLICY & RESOURCES COMMITTEE 16<sup>TH</sup> DECEMBER 2021**

**Application Ref:** 21/0760/HHO  
**Proposal:** Full: Erection of a two storey rear extension.  
**At:** 24 Reedyford Road, Nelson  
**On behalf of:** Mr Wakas M Begum  
**Date Registered:** 17/09/2021  
**Expiry Date:** 12/11/2021  
**Case Officer:** Laura Barnes

This application has been referred from the Nelson, Brierfield & Reedley Committee as members were minded to approve the application, contrary to officer recommendation.

The proposed two storey rear extension would be contrary to the guidance of the Design Principles SPD relating to residential amenity impacts and result in unacceptable residential amenity impact upon the properties to both sides. This would result in a significant departure from Policy ENV2 of the Core Strategy.

### **Site Description and Proposal**

The application site is a two storey semi-detached dwelling, sited amongst dwellings of a similar scale and design in a residential area. The property is located within the defined settlement boundary of Nelson.

The proposal is for a two storey extension to the rear of the dwelling to provide an additional bedroom and repositioned family bathroom to the first floor, with an additional lounge and bathroom to the ground floor.

### **Relevant Planning History**

None relevant

### **Consultee Response**

#### LCC Highways

Having considered the information submitted, the above proposal raises no highway concerns. Therefore, the Highway Development Control Section would raise no objection to the proposal on highway safety grounds.

## **Public Response**

Nearest neighbours notified, two letters of objection have been received, raising the following issues:

- Impact upon neighbouring property in terms of privacy and loss of light
- The change in ground levels means to No. 26 that the impact will be even worse
- Poor design
- Existing issue with drainage would be exacerbated

## **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.

### 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.

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

## **Design**

The Design Principles SPD advises that two storey extensions should be subordinate to the existing dwelling and should have a pitched roof.

The extension is to have a pitched roof, it would be set down from the ridge height of the original dwelling, making it subordinate. The proposed extension is to project out 7m

from the rear wall and be 5.3m in width (max). The proposed extension takes an L-shaped form with the ground and first floor bathrooms being the projection furthest from the existing rear wall of the dwelling. The extension is to be finished with a through colour render and have matching roof tiles to the existing dwelling.

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

### **Residential Amenity**

The Design Principles SPD advises that windows should normally be limited to rear facing, to avoid neighbour amenity issues. There is a proposed ground floor side window serving the sitting room, facing towards No. 26 Reedyford Road. There is a change in levels between the application site and the neighbour at No. 26 with the application site taking an elevated position. The boundary treatment is a brick wall (approx. 1m in height) with a 1.8m high close boarded fence on top of it. There is an existing single storey extension to the rear of No. 26 which accommodates a lounge. There is a side elevation window facing towards the application site and there are no other sources of light serving this room. The proposed lounge window to the side elevation of the proposed extension would result in a direct overlooking issue with the neighbouring property, there would be a separation distance of just 4m between the proposed and existing windows. However, given the boundary treatment and the ability to control the proposed window with obscure glazing, this issue could be mitigated. Whilst the potential privacy issue could be mitigated, the proposal at two storey in height, adjacent to a ground floor lounge window which is the only source of light serving the room, would result in an unacceptable overbearing effect.

The Design Principles SPD advises that rear extensions will be acceptable only where they do not breach the 45 degree rule. The proposed extension is set away from the shared boundary (with No. 22) by 1m. However, there is a window to the neighbouring dwelling (No. 22) which is 0.3m from the shared boundary and serves a habitable kitchen / dining area. The proposed extension would breach the 45 degree angle, resulting in an overbearing impact upon the neighbouring dwelling. It is noted that there are other sources of light to the neighbouring kitchen / dining room including a second window to the rear elevation and a door to the side elevation. At two storey in height, the proposed extension would result in an unacceptable overbearing impact upon the neighbouring dwelling, contrary to Policy ENV2 of the Local Plan: Part 1 Core Strategy.

Therefore, the proposed development conflicts with Policy ENV2 and the Design Principles SPD.

### **Highways**

The proposed development would result in an increase in the number of bedrooms serving the dwelling. The Highways Authority have not objected to the proposals. The proposal would not result in an unacceptable impact upon highway safety.

## **RECOMMENDATION: Refuse**

For the following reasons:

By virtue of its scale and massing, coupled with the difference in ground levels between the application site and neighbouring property at No. 26 Reedyford Road, the proposed extension would result in an unacceptable overbearing effect upon both No. 22 and No. 26 Reedyford Road, contrary to Policy ENV2 of the Local Plan: Part 1 Core Strategy, the National Planning Policy Framework and the Design Principles SPD.

**Application Ref:** 21/0760/HHO

**Proposal:** Full: Erection of a two storey rear extension.

**At:** 24 Reedyford Road, Nelson

**On behalf of:** Mr Wakas M Begum