



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

**TO:** BARROWFORD AND WESTERN PARISHES COMMITTEE

**DATE:** 11<sup>TH</sup> MAY 2022

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## PLANNING APPLICATIONS

### PURPOSE OF REPORT

To determine the attached planning applications.

# REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE 11<sup>TH</sup> MAY 2022

**Application Ref:** 21/0936/HHO

**Proposal:** Full: Erection of a part single storey, part two storey extension to the rear.

**At:** 15 Kendal Avenue, Barrowford

**On behalf of:** Mr & Mrs Berry

**Date Registered:** 17/12/2021

**Expiry Date:** 11/02/2022

**Case Officer:** Laura Barnes

This application has been deferred from the last meeting in order to allow Councillors to undertake a site visit.

## Site Description and Proposal

The application site is a semi-detached dormer bungalow dwelling, sited amongst dwellings of a similar scale and design. The property is located within the defined settlement boundary of Barrowford.

The proposal is for the erection of a part single storey, part two storey extension to the rear of the dwelling, which would comprise additional living accommodation to the ground and first floor, in the form of larger bedrooms (one with ensuite facilities), making way for an additional office / study to the first floor. To the ground floor there is to be an extension to the dining room, to create a larger open plan kitchen / dining area.

## Relevant Planning History

None relevant.

## Consultee Response

### LCC Highways

The number of bedrooms will remain as existing and there is no change in the existing parking available to the property, therefore, we are of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

There is no objection to this proposal on highway grounds.

### Barrowford Parish Council

Concerns: The Parish Council has concerns regarding the adverse impact of amenity caused by loss of light that the proposed two storey 3.5m extension may cause due to close proximity to next doors downstairs window.

The Parish Council has concerns on lack of details on the drainage measure for the large increase in the surface area of the flat roof. The Council questions the sustainability of large flat roofs on domestic premises through increased rainfall attributable to climate change.

## **Public Response**

3 letters of objection has been received, raising the following issues:

- The brick wall to the side elevation would be imposing, cast a shadow and result in a loss of light to neighbouring property
- The extension breaches the 45 degree angle which would result in a loss of light to the adjoining neighbour
- Overbearing impact
- Negative impact upon neighbouring amenity would impact the mental health and quality of life of neighbours

## **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 proposed extension is to have two pitched roofslopes with a central valley between. One of the pitched roofs extends across the entire two storey element whilst the other extends across only part of the two storey element, with a flat roof over the remainder of the single storey

projection. The pitched roof is much preferable in design terms to the existing flat roof dormer, which dominates the roof slope and does not represent a high quality design. As such, the proposed extension is an improvement in design terms. In relation to the small area of flat roof extension to the single storey part of this scheme, although a pitched roof would generally be encouraged, in this particular location where it is not prominent in public views of the site, it is acceptable.

In terms of materials, the proposed extension is to be constructed of block and render, with a timber weatherboarding to the first floor extension. This is not in keeping with the character of the surrounding area and the materials will need to be submitted to the Council for approval in future, via a discharge of conditions application. A condition can be attached to ensure samples of materials are submitted, in order that they harmonise with the surrounding buildings.

Subject to condition, this accords with the guidance in Policy ENV2 of the Local Plan: Part 1 Core Strategy and the Design Principles SPG in relation to two storey and single storey rear extensions.

### **Residential Amenity**

The Design Principles SPD advises single storey rear extensions located on, or immediately adjacent to, the party boundary with a neighbouring property will normally be acceptable if they do not project more than 4m from the rear elevation of the existing dwellinghouse. Part of the proposed development is a single storey flat roof extension, positioned upon the shared boundary with No. 17 (which forms the other half of the semi-detached dwelling). The single storey projection is to be 3.5m out from the existing rear wall of the dwelling. As such, the length of the projection accords with the Design Principles SPD in this regard (being under 4m in length). The agent has marked on their floor plan the 45 degree line with the centre point of the neighbour's windows at No. 17. This indicates that there is a breach of the 45 degree angle by 1.6m. However, this modest breach needs to be balanced against the fact that the extension closest to the boundary is to be single storey, the Design Principles SPD would allow a projection of 4m, the height of the extension would be 2.9m and the proposed design of the roof which is flat. Taking all these factors into account, although there would be some impact upon the neighbouring dwelling it would not amount to an unacceptable detrimental impact upon the occupiers of No. 17.

The Design Principles SPD advises that two storey rear extensions will be acceptable only if they do not breach the 45 degree rule. It is also recommended that any first floor extension is set in by 1m from the boundary where the properties are attached (such as semi-detached dwellings) and the neighbouring dwelling does not already have an extension. In this case, the neighbouring dwelling does not have a single storey extension to the rear. However, the applicant has chosen to observe the recommended off-set from the boundary at the first floor level, with the extension being set in by 3m.

In terms of windows, the proposed extension is to have four windows to the rear elevation, two to the first floor and two to the ground floor. The ground floor family room is to be served by a set of bi-folding doors to the rear, with direct access to the rear garden. Although the proposed bi-folding doors are to be closer to the rear boundary of the plot at the application site, there are no neighbouring properties directly behind which are within 21m of the proposed bi-folding doors. As such, the bi-folding doors would not result in an unacceptable neighbouring amenity issue. The other window to the ground floor is to serve a store room. Again, given the separation distances from neighbouring dwellings at the rear and that this window would not serve a habitable room, there would be no unacceptable neighbouring amenity issues in this regard.

To the first floor the two proposed windows are to serve bedrooms. One of the two is in roughly the same position as the existing dormer windows, in terms of proximity to neighbours. As such it would not cause any greater harm to neighbouring amenity than the current position. The other window is to be 3.5m further into the rear garden than the existing windows. However, due to the

separation distance between neighbouring dwellings being over 21m this would not result in an unacceptable neighbouring amenity issue.

To the ground floor, the proposed development includes one side elevation window closest to No. 13 Kendal Avenue. This window is to serve a store room, which is not a habitable room. Given that the neighbouring dwelling (No. 13) has two side elevation windows serving habitable rooms, the proposed window should be obscure glazed. This can be secured by a suitably worded planning condition.

Comments have been received by a member of the public that the proposed development would result in a loss of light and overbearing effect. However, although the proposed extension is two storey in height, it is set away from No. 13 sufficiently to avoid an overbearing effect. To the opposite side, No. 17 Kendal Avenue, the proposed extension is only single storey in height and limited to 3.5m in projection along the shared boundary with No. 17. The two storey element has been set off the shared boundary in order to reduce any overbearing impact.

Therefore, the proposed development is acceptable in terms of residential amenity in accordance with Policy ENV2 and the Design Principles SPD.

## **Highways**

The proposed development would not result in a change to the number of bedrooms, just a change to the size of them. As such, there is no requirement to increase the number of car parking spaces available to the development. The proposed development accords with Policy 31 in this regard.

## **Reason for Decision**

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

## **RECOMMENDATION: Approve**

Subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Location Plan Ref: 001-Rev A
  - Proposed Elevation and Floor Plans Ref: 002 Rev B

**Reason:** For the avoidance of doubt and in the interests of proper planning.

3. Prior to commencement of above ground level works, samples of the materials for the external walls, roof, windows, doors and rainwater goods shall be submitted to the Local

Planning Authority for written approval prior to commencement of work on the site. The development shall be carried out using only the agreed materials.

**Reason:** In order that the Local Planning Authority can assess the materials in the interest of the visual amenity of the area.

4. Notwithstanding the plans hereby approved, the ground side elevation window of the development shall at all times be fitted with obscure glazing to at least level 4 or above unless otherwise agreed in writing by the Local Planning Authority. Any replacement glazing shall be of an equal degree or above. The window shall be hung in such a way as to prevent the effect of the obscure glazing being negated by way of opening.

**Reason:** To ensure an adequate level of privacy to adjacent residential properties.

**Application Ref:** 21/0936/HHO

**Proposal:** Full: Erection of a part single storey, part two storey extension to the rear.

**At:** 15 Kendal Avenue, Barrowford

**On behalf of:** Mr & Mrs Berry

# REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE 11<sup>TH</sup> MAY 2022

**Application Ref:** 22/0012/HHO

**Proposal:** Full: Demolition of existing single storey outriggers and erection of single storey extension to the front elevation.

**At:** Cross Lane Farm, Cross Lane, Barley

**On behalf of:** Sarah Spencer

**Date Registered:** 28/01/2022

**Expiry Date:** 25/03/2022

**Case Officer:** Laura Barnes

## Site Description and Proposal

The application site is a two storey detached dwelling, which has two single storey extensions to either side and a porch to the front entrance, sited within the Open Countryside and Forest of Bowland Area of Outstanding Natural Beauty (AONB). Public Rights of Way provide vantage points of this site to the north. 13-8-FP-40 runs along the western boundary of the site, in a north-west direction. Public Bridleway 13-8-BW-41 runs along the valley floor adjacent to the route of the Ogden Clough and there are other Public Rights of Way further north stretching up towards Pendle Hill, from which the site is highly visible.

The proposal is for the demolition of the existing single storey extensions and erection of a single storey extension to the front of the dwelling. The width of the proposed extension is to be 21.8m and the depth is to be 12.9m. The height of the proposed extension is 4.5m. The residential accommodation would comprise a four bed dwelling, increasing from an existing three bed roomed one. The accommodation would comprise two bedrooms, both with ensuite facilities to the first floor. To the ground floor it would comprise a further two bedrooms (both with ensuite facilities), a dressing room, office, utility room and kitchen / family room.

## Relevant Planning History

None relevant

## Consultee Response

### LCC Highways

Having considered the information submitted, the above proposal raises no highway concerns. An adequate level of off-road parking for the type and size of development proposed will be retained. Therefore, the Highway Development Control Section would raise no objection to the proposal on highway safety grounds.

### Barley Parish Council

#### Location

Cross Lane Farm is located on the hillside road above Barley, off Cross Lane. It is just over 400m outside of the Barley settlement boundary by road and it is in the open countryside.

It has a prominent position overlooking Barley Green, Barley and Pendle Hill.

As such it is a well-known landmark and it is highly visible from Cross Lane and Footpaths 39, 40, 41, 53, 67 and from those on the slopes of Pendle Hill. It is located within the Forest of Bowland AONB.

#### Application

To demolish outbuildings, including a garage, to the two-storey farmhouse and to extend the farmhouse.

To construct another building to the south (uphill side) of the existing farm house which is offset to the west so that there are clear views across to Pendle Hill through the large glass windows included in the application.

The two buildings will be linked by what appears to be a form of an Atrium.

The white paint render from the farmhouse will be removed and the whole of the new structure will be faced with "stone" and glass.

There is provision for three parking spaces, with turning area, but no garage.

#### Impact on the Character of the Area

The site is located within the Area of Outstanding Natural Beauty. National Guidance (NPPF) states that the Local Planning Authority should conserve and enhance Areas of Outstanding Natural Beauty and the Historic Environment. It confirms that great weight should be given to conserving landscape and scenic beauty, and that AONBs have the highest status of protection in relation to these matters. The NPPF also identifies good design as being 'fundamental to what planning and Development should achieve...and helps to make development acceptable to communities.'

Against this background Parish Councillors made the following observations:

#### Layout & Size

The architects describe the proposal as an extension and this is a fair description in relation to extending the existing farm house. However, our view is that the building to the south is a new building in the open countryside simply linked by a glass structure. PBC policy states new dwellings in the open countryside should only be permitted in special circumstances, none of which are apparent in this case.

In terms of size, this is a doubling in size from the existing building and an almost doubling in length of the north facing elevation which is so prominent from most aspects of the valley. Such a large structure will draw attention to it and be an intrusion in the open countryside and will not be harmonious with the local landscape.

The scale of this proposed building will in fact reduce the area of open countryside which Government policy seeks to protect.

#### The Site

The Council consider part of the application includes a new building outside the settlement boundary and within the open countryside. Permission for such buildings requires an exceptional high standard of design and blending in to the landscape, this is not evident in this application.

#### Design

The Council considers the design to look modern and has far too much large glass which will make it stand out on the landscape. The new building will have large glass face (circa 80%) on the north elevation. This elevation is clearly visible from the public footpaths referred to above. It will have an unsympathetic appearance to the rural character and will tend to draw the eye from the wider landscape. Sunlight reflection, the high visibility of contents and movement will be a distraction and the night time lighting will be a visual intrusion in the AONB.

It would not achieve the quality of design and conservation set out in Policy EVN 2 as it would detract from the natural beauty of the AONB by way of its location, size and appearance.



The Borough Council has previously rejected applications within the Barley area where glass has dominated the visible frontage of a property eg Ing Head Farm 16/0797/FUL.

Whilst there are a handful of buildings within the local area that are incongruous with the rest, the vast majority are traditional stone built rural dwellings with small glassed areas on visible elevations from footpaths and roads. This modern glass fronted "extension" would not conserve or enhance the natural or built environment.

The absence of a garage raises concerns regarding storage space for vehicles and equipment around the property and how this might affect the appearance from the road.

There are some positives to the application including the low profile of the new building and the proposed use of natural stone providing the stone is random (not coursed as shown) and the new is a match for the existing when exposed.

However, the application fails in relation to its large scale relevant to the existing building and other local buildings and the large amount of glass used, both of which will make the property highly visible within its surroundings

In consideration of the above, Barley Parish Council strongly objects to this planning application.

## **Public Response**

Letters were sent to the nearest neighbours to notify them of the application, multiple comments have been received, raising the following issues:

- The property is in the AONB, this will double the ground floor
- Without the link hallway this is a new development (building) in the Open Countryside
- The building should be subject to a 25% rule (increase in area)
- The building is excessive in scale and would harm the visual amenity of this rural farmhouse
- Large expanse of glazing is not appropriate
- Highly visible site from Public Rights of Way

## **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 SPD2 (Spatial Development Principles) sets out the hierarchy of settlements for which growth would be directed towards, in order of preference. Barley is classed as a "Rural Village" in this hierarchy.

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) seeks to protect, enhance and conserve natural and historic environments.

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 1 restricts the type of development which is acceptable within the Open Countryside and AONB, although this policy is out of date and is not consistent with the Framework it has not entirely been replaced by the Site Allocations Part 2: Local Plan

Saved Policy 2 specifically refers to development within the AONB, setting out that the natural beauty of this area should be protected.

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

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

The Open Countryside SPG sets out guidance for development within Open Countryside and Areas of Outstanding Natural Beauty. The application site is located within the Moorland Fringe.

## 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 Framework sets out a high standard for proposed development within the AONB. Footnote 7 deals with designated areas, including AONB amongst other things, with reference to the overall presumption in favour of sustainable development contained at paragraph 11 of the Framework.

Paragraph 134 of the Framework sets out that development which is not well designed should be refused.

## **Design**

The Design Principles SPD advises that extensions to the front elevation of dwellings, including porches, need to be carefully designed. It states that porches usually benefit from having a pitched roof, using the same construction materials as the original dwelling and being not greater than 1.25m in depth (or less than half the distance between the front elevation and the highway boundary).

In this particular location the front extension is not a porch, it is a single storey extension which one may ordinarily find to the rear of a building. It appears as a new building positioned in front of the existing dwelling. The proposed development has not been carefully designed, as required by national policy.

Given the nature of the land levels and the drop from south to north within the application site boundary, the rear elevation is particularly visible and the design of this is of particular importance in the overall scheme. As set out above the dwelling is particularly prominent in views from Public Rights of Way to the north. The rear of the dwelling has been designed with a large expanse of glazing, including three sets of triple folding / sliding doors. This large expanse of glazing is not traditional and would draw attention to the elevation as being out of character with the surrounding character.

The building is to be constructed of stone with a slate roof, these are traditional materials and appropriate in this location. However, the bulk of the building and the fact that the extension is

effectively a new building positioned to the south, make for an unsympathetic design which is modern and wholly uncharacteristic of the surroundings in terms of visual amenity. This point can be clearly seen from the Proposed Site Plan. Moreover, when viewed from the south the proposed development would look like two dwellings one positioned behind the other, which would significantly alter the appearance of the overall site and cause harm to the wider visual amenity. This represents poor design, contrary to paragraph 134 of the Framework.

## **Landscape**

The proposed development is located within the Moorland Fringe as defined in the Open Countryside SPG. This recommends that proposed development is of local stone in natural colours and with dark grey / blue stone coloured material to the rooves. The reason for this is to assist in assimilating the building into its position within the surrounding landscape character. Although it is acknowledged that there is some use of traditional materials, the way the overall design has been put together with a modern dwelling effectively positioned in front of the existing original dwelling makes for an adverse impact upon the surrounding character and appearance of the wider visual amenity and AONB.

There are Public Rights of Way to the North of the application site, the visual impact of the extension to the building would be significantly different, particularly given that one of the rights of way almost forms the western boundary of the garden, as it drops down the slope to the valley floor to meet the Ogden Clough. Users of the public right of way would be met with a modern, bulky, unsympathetic dwelling which is not characteristic of the original modest two storey dwelling nestled into the hillside.

The proposals are contrary to Policies ENV1 and ENV2 of the Local Plan: Part 1 Core Strategy.

## **Residential Amenity**

The Design Principles SPD seeks to ensure that householder developments do not as a result of their design, scale, massing and orientation have an unduly adverse impact on amenity. The proposed extension is not within a 21m distance of any neighbouring dwelling, as such it would not result in an unacceptable impact in terms of a loss of privacy or overbearing effect.

Therefore, the proposed development is acceptable in terms of residential amenity in accordance with Policy ENV2 and the Design Principles SPD.

## **Highways**

The proposed development would increase the size of the dwelling by one bedroom. This requires three car parking spaces to be provided off-street. The Site Plan indicates sufficient amount of car parking. There is no objection in this regard.

## **Trees**

There are trees within the application which have been the subject of an arboricultural impact assessment. One of the sycamore trees is unsuitable for retention due to its extensive loss of bark, it is indicated as Category U within the report. A tree protection fencing plan is in place within the arboricultural report which details the protection measures which will be put in place during the construction period to protect trees and their roots from damage.

## **RECOMMENDATION: Refuse**

For the following reason:

The proposed development would result in a modern bulky extension to the front elevation of the existing traditional two storey dwelling which does not result in a development which would be sympathetic to the character and appearance of the wider visual amenity within the AONB. It takes a prominent position within the surrounding context and views of the proposed development can be seen from key public rights of way. By virtue of the positioning of the extension to the front elevation, resulting in a new building being positioned in front of the existing original dwelling, combined with the scale, massing and choice of glazed fenestration to the rear, the proposed development would be uncharacteristically modern in its design and would not relate well to the position in which it is located, contrary to paragraph 134 of the Framework. The proposed development would result in a development which is out of character with the area, contrary to Policies ENV1 and ENV2 of the Local Plan Part 1: Core Strategy, the Design Principles SPD and the Open Countryside SPG.

**Application Ref:** 22/0012/HHO

**Proposal:** Full: Demolition of existing single storey outriggers and erection of single storey extension to the front elevation.

**At:** Cross Lane Farm, Cross Lane, Barley

**On behalf of:** Sarah Spencer

## REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 11<sup>TH</sup> MAY 2022

**Application Number:** 22/0041/HHO

**Proposal:** Full: Demolition of conservatory and erection of single storey rear extension and extend patio, demolition of garage to side and erection of single storey side extension, formation of 2 dormers to front and extend driveway.

**Site Address:** 18 Forester Drive Fence Burnley Lancashire  
BB12 9PG

**On behalf of:** Mr & Mrs Heys

**Date Registered:** 21st January 2022

**Expiry Date:** 7<sup>th</sup> April 2022

**Case Officer:** Yvonne Smallwood

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This application has been deferred from the previous Committee Meeting, 30<sup>th</sup> March 2022 in order to make a site visit.

### **Site Description and Proposal**

The application site is a semi-detached bungalow with a rear dormer located within the settlement boundary of Nelson. It is surrounded by bungalows and dormer bungalows.

The amended plans seek to erect a single storey rear extension which would measure 3m x 10.18m with a height of 2.99m.

The garage would be demolished and a single storey side extension would be erected measuring 12.69m in length. The width would be 2.55m from the front elevation to 5.4m depth, then the extension would narrow down to circa 2.2m for the remaining 7.29m.

The patio area to the rear of the property would be extended by 1.4m with a 0.66m step down to the garden area.

The extensions would be finished in buff brickwork to the lower walls with render above and a concrete tiled roof to match existing. The fenestration would be anthracite UPVC windows with white UPVC doors. The dormers would have UPVC anthracite cladding and felt roofing.

There is existing parking capacity for two vehicles, with space for one car on the driveway and one in the garage. The development would mean there would be no garage and the driveway would be extended by 1.8m to create an additional parking space to the south west, finished with tarmac hardstanding.

### **Relevant Planning History**

None.

## **Consultee Responses**

### **LCC Highways**

Having considered the information submitted, the Highway Development Control Section does not have any objections regarding the proposed development at the above location. An adequate level of off-road parking would be provided for the type and size of development proposed. The following comments should be noted, and condition and note applied to any formal planning approval granted.

The widened driveway/hardstanding should be surfaced in a bound porous material to prevent loose surface material from being carried onto the adopted highway network, where it could pose a hazard to other users. It should be kept free from any obstacles or obstructions which would prevent its use as off-road parking for two vehicles.

The extended dropped vehicular crossing would need to be carried out under an agreement (Section 184) with Lancashire County Council as the highway authority.

### **Condition**

The proposed development should not be brought into use unless and until the parking area shown on the approved plans has been constructed, laid out and surfaced in bound porous materials. The parking area shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling. Reason: In order to ensure satisfactory levels of off-road parking are achieved within the site.

### **Note**

This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 (Vehicle crossings over footways and verges) Lancashire County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Therefore, before any works can start, the applicant must complete the online quotation form found on Lancashire County Council's website using the A-Z search facility for vehicular crossings at <http://www.lancashire.gov.uk/roads-parkingand-travel/roads/vehicle-crossings.aspx>

### **Old Laund Booth Parish Council**

No objections.

## **Public Response**

Nearest neighbours notified by letter with four responses summarised below:

Concerns have been raised relating to:

- The light amenity of the neighbour at number 16 – light assessment suggested, to be undertaken by a professional independent company
- An overbearing impact, an adverse impact on enjoyment of property for number 16
- Parking provision
- Access, safety and emergency access of the shared access (ginnel). The need to keep this clean and clear of obstruction at all times
- Need of natural light to house and patio
- Loss of light to patio at number 16
- List of PBC Policies
- Placing a condition to prevent the dressing room becoming a bedroom
- Ridge height of number 18 is higher than that of number 16 Forester Drive
- Inadequate surrounding space to avoid a cramped appearance in the streetscene
- Adverse impact on the regular house spacing/terracing effect of streetscene

## **Relevant Planning Policy**

The main issues to consider in this application are impact on amenity and design and materials.

Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy requires new development to be in scale and harmony with the surrounding area.

The Design Principles SPD contains further guidance on residential extensions.

Saved Policy 31 of the Replacement Pendle Local Plan 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 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.

Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and Government guidance on design, taking into account any local design guidance and supplementary planning documents.

## **Officer Comments**

### **Design and Materials**

The single storey rear extension would have a flat roof with a roof lantern window. The extension would measure 3m x 10.18m with a height of 2.99m. There would be no windows to the side elevations. The rear elevation would have triple sliding doors measuring 5.86m in total and a door to the south east of the development. The single storey rear extension would project back 3m and this falls within the acceptable length and would accord with the Design Principles SPD in this regard.

The existing garage would be demolished and a single storey side extension would be erected measuring 12.69m in length. The width would be 2.55m from the front elevation to 5.4m depth, then the extension would narrow down to circa 2.2m for the remaining 7.29m. The single storey side extension would have a ground floor window to the side serving a study with a door to a storeroom. The front elevation would have an additional ground floor window serving a playroom.

The proposed materials would be buff brickwork to the lower walls and render above with concrete tiled roofing to match existing on the main dwelling. The fenestration would be anthracite UPVC windows and white UPVC doors which would be acceptable.

Single storey extensions to the side of semi-detached properties should respect the balance and symmetry of such properties. This extension is set in from the shared side boundary by 1m and would not be out of character with the style of nearby dwellinghouses and poses no adverse planning issues. Therefore this single storey extension accords with policy ENV2 and the guidance set out in the Design SPD.

The proposed driveway would be extended by 1.8m to the south west with tarmac hardstanding. The surface of the driveway should be a bound porous material to accord with Highways LCC recommendations.

### **Amenity**

The Design Principles SPD states that single storey rear extensions up to a projection of 4m are usually acceptable. The single storey extension to the rear would project back by 3m from the rear

elevation. There is a circa 2m fence between the application site and the adjoining neighbour at number 20 Forester Drive. There is a circa 2m fence between the application site and the neighbour at number 16. The single storey element of the proposed development would not have any unacceptable adverse impacts on the adjacent neighbours.

The Design Principles SPD states that two storey side extensions should be designed to avoid having an overbearing effect or causing loss of light or privacy for neighbours. Two storey extensions to the side of semi-detached properties should respect the balance and symmetry of such properties.

The property to the north east of the application site, number 16 Forester Drive, is a true bungalow with a lower ridge height than that of the application site. There is a shared access between the application site and number 16 which is 1m wide. Number 16 has two windows and a glazed door facing the application site. One of the windows serves a kitchen-diner and the other window serves a sun-lounge. Number 16 has a shed opposite the kitchen-diner window and there is a circa 2m fence between the properties. The sun lounge window has other windows as well as the one facing number 18. The proposed extensions would result in a marginal loss of light for number 16. A light assessment survey undertaken by an independent company, Smith Marston, found that this development would result in an unacceptable loss of light for number 16 with a reading of 24%, which was very similar to our internal assessment of 24.66%. The acceptable level is 20%, therefore amended plans have been requested in order for this application to be acceptable and in accord with Design Principles SPD.

#### Public responses

The parking is adequate for Parking Standards Saved Policy 31 and Highways LCC have raised no objections to the development. There are properties with similar extensions and dormers on Forester Drive. There would be a marginal loss of light as the side elevation would be extended to the north east and the rear single storey extension would project back 3m from the rear elevation which is within the 4m acceptable length. As there is an existing conservatory to the rear of the application site, this would be demolished and the proposed rear extension would project a further circa 1.5m than existing. A 'daylight, sunlight and overshadowing' professional survey by an independent company has been undertaken to address this.

Access to the property is not a planning matter. There are similar dormers and extensions on Forester Drive, so the developments would not look out of keeping with the streetscene and would therefore accord with Policy ENV 2 and the Design Principles SPD.

### **Reason for Decision**

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed housing development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework, subject to compliance with planning conditions. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

### **RECOMMENDATION: Approve (Subject to the submission of amended plans to comply with 20% light assessment threshold)**

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.



**Reason:** Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan: 576/02

**Reason:** For the avoidance of doubt and in the interests of proper planning.

3. The external materials used in the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

**Reason:** These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. The proposed development should not be brought into use unless and until the parking area shown on the approved plans has been constructed, laid out and surfaced in bound porous materials. The parking area shall thereafter always remain available for the parking of domestic vehicles associated with the dwelling.

**Reason:** In order to ensure satisfactory levels of off-road parking are achieved within the site.

**Application Number:** 22/0041/HHO

**Proposal:** Full: Demolition of conservatory and erection of single storey rear extension and extend patio, demolition of garage to side and erection of single storey side extension, formation of 2 dormers to front and extend driveway.

**Site Address:** 18 Forester Drive Fence Burnley Lancashire  
BB12 9PG